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ABSTRACT

This document presents edited interviews with four former superintendents of instruction--Ewald Nyquist of New York, Jack Nix of Georgia, Dolores Colburg of Montana, and John Pittenger of Pennsylvania. Although the states in which these persons held their positions are quite different, there are a number of commonalities in the problems they faced--their relationship with the board of education; political pressures from the governor, the legislature, and special interest groups; relationships with local education agencies and with the federal government; and the pressures of the job. (IRT)

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State Leadership In Education

On Being A Chief State School Officer

Jerome T. Murphy

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State Leadership In Education

On Being A Chief State School Officer

Edited by

Jerome T. Murphy

Institute for Educational Policy Studies
Harvard University

Washington D.C., 1980

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Foreword

This fascinating set of elicited memoirs brings together two organizations and four personalities. Taken together, they have as much to say about American education as any other amalgam one could imagine encapsulating within a single slender volume.

Take first the four individuals. "Dodie" Colburg, "Pitt" Pittenger, "Joe" Nyquist, and Jack Nix have among them accumulated more than a half century of involvement with the schools of their several states, half of those years spent living in that room at the top. In these pages, they have recalled not only the memories but the moods of that engagement: moments of accomplishment and frustration; people who helped and others who hindered; methods that worked and measures which failed; things that counted and matters that didn't.

Single human beings—clearly those who emerge as vividly as these four—become the measure of all things. For all of us who want to learn more about leading, the candid reflections of thoughtful professionals are invaluable. Never mind that all four are now "safely" out of the positions they occupied. It still takes courage to talk openly of people and issues still alive, and to share of themselves as these remarkable people have done.

As for the two organizations collaborating in this publication: The Institute for Educational Leadership has to be counted as one of the most vital forces in American education today. For more than a decade—energized by Samuel Halperin's rare combination of vigor and vision—IEL has been a tugboat of progress nudging and guiding that hulk of our educational enterprise in the direction of needed leadership and policy.

OCT 6 1980

In this venture, IEL has formed a welcome partnership with a fledgling center at Harvard's Graduate School of Education: the Institute for Educational Policy Studies. We formed this Institute rather quietly just a year and a half ago—modesty well becomes any effort, especially by an elite institution—to bring another level of understanding to complicated matters of educational policy already under scrutiny by the millions of Americans searching for better answers.

In choosing biography as a first mode of analysis, IEPS and its Director, Jerry Murphy, have made an astute and auspicious beginning. Other analyses will shortly follow: studies of the impact of "The Age of Regulation" on educational practice. These, too, will view the large in the context of the small, the problems of policy seen through the lens of what happens in the everyday lives of teachers and learners. People remain the measure.

A third institution played an essential and catalytic role in bringing all this about. The Ford Foundation, with its characteristic foresight, made certain that good people with worthy ideas were given the audience they deserve. I say this with profound gratitude.

Paul N. Ylvisaker
Dean
Harvard Graduate School
of Education
August 1980

Acknowledgments

John Pittenger first suggested this volume of interviews with former chief state school officers. I thank "Pitt" for his good idea, for later agreeing to be interviewed himself, and for his help throughout the process of editing the manuscript. It is hard to imagine a more thoughtful, likeable colleague. Special appreciation goes to Dodie Colburg, Jack Nix and Joe Nyquist for their willingness to participate and for their candid comments about the issues and people they dealt with. And my thanks to George Penick and Steve Tracy for their invaluable research assistance on the project.

I was also fortunate to receive the assistance and helpful advice of numerous colleagues. I particularly would like to thank Nancy Anderson, Susan Johnson, Fred Light and Brenda Turnbull for their detailed comments on early drafts. I would also like to thank David Cohen, Susan Murphy and Carol Weiss for their thoughtful suggestions, and Samuel Halperin, Diane Brundage and the Institute for Educational Leadership for editorial assistance in publishing the book. In addition, I'd like to express my gratitude to the Ford Foundation for funding this effort, and particularly to Ed Meade for his encouragement and support. Finally, my thanks to Laura Bachman, Rhonda Htoo and Darcy Marshall for their excellent assistance in preparing the manuscript.

Jerome T. Murphy
Concord, Massachusetts
August 1980

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ABOUT THE EDITOR

Jerome T. Murphy, director of the Institute for Educational Policy Studies and associate professor at the Harvard Graduate School of Education, was formerly Associate Director of the White House Fellows Program, Associate Staff Director of the National Advisory Council on the Education of Disadvantaged Children, and an HEW legislative aide. He has written numerous books and articles on federal and state policy, intergovernmental relations, program evaluation and social science methodology.

Introduction

Jerome T. Murphy

—Irrepressible Ewald (Joe) Nyquist of New York is a man of humor and hubris. An advocate for the underdog, he's impatient with stupidity and mediocrity, definitely not a politician. These characteristics probably help explain his accomplishments as New York's commissioner of education. They probably also help explain why he was fired at 62 years of age after eight years in the top post, 26 altogether in the state department. Still, he says, during his time the department was the best there was.

—Gentlemanly Jack Nix of Georgia is a master politician whose common sense was honed early, trading mules with his father. He worked with governors ranging from Lester Maddox to Jimmy Carter, assiduously maintained personal contacts with legislators, and made an ally early of the most powerful education interest group—the school bus drivers' association. Although he anticipated easy reelection, he retired at 55 years of age, after almost 12 years on the job, to which he was first appointed, then three times elected.

—Outspoken Dolores (Dodie) Colburg of Montana, a political person nearly all her life, was a formidable vote-getter for her two terms as state superintendent, a position traditionally held by women in Montana. Dodie counts herself among those who have the guts to take on established interests and is a strong advocate of participatory management. She passed up a probable third term, stepping down at 44 years of age "while things were going well, rather than have people chase me out of town."

—Combative John (Pitt) Pittenger of Pennsylvania is a hard-driving liberal with strong convictions and broad perspective. A lawyer and former legislator, he didn't easily win his position as a "clean broom" secretary of education—confirmation of his appointment was stalled in the state Senate for more than a year. In the job, he shook up the bureaucracy, took on the school boards association, and was an outspoken critic of the federal government. He left the post after five years at 47 years of age, and later collapsed with a bleeding ulcer—a sign of the stresses that go with the top state education jobs.

Although scattered geographically, all four of these "chiefs" were in the center of the action as the states seemingly came of age in the governance of education. Since the mid-sixties, state governments have grappled with controversial problems of desegregation, student rights and unrest, school finance reform and tax caps, aid to minority groups, fiscal crises, declining enrollment and confidence, collective bargaining, accountability and competency testing. During this time, powerful coalitions of education interest groups fell apart, active new groups joined the competition for limited resources, the courts joined the fray, state boards of education became more aggressive, and governors and legislators substantially increased their participation—building professional staffs, overseeing budgets, taking stands on educational issues. Meanwhile, state departments of education, once mostly innocuous and invisible, doubled and tripled in size, and assumed major new responsibility in administering complex programs. Much of this growth came from substantial federal aid, including some 40 percent of the costs of running state education agencies (much higher in some states).

Despite all this activity and turbulence, little has been written about how state education policymakers actually operate. In particular, just what is it like to be a chief state school officer? How do chiefs perceive their roles, and how is the job changing? How do they work with others in the policy process—state boards of education, governors, legislators, education interest groups, school administrators, federal officials, national organizations? What are their management strategies and problems in dealing with personnel and the civil service? How do they cope with new voices in education, burgeoning bureaucracies, and a changing policy environment? How would they suggest others prepare for the job?

This book provides some answers to these questions, through excerpts of conversations with former chiefs Nyquist, Nix, Colburg, and Pittenger. These accounts—

—raise questions about what it means to be an "elected" chief. Nix and his two predecessors each left office before the end of their terms, allowing

the governors to appoint interim chiefs who could then stand for election as incumbents, thus frustrating a genuine choice by the electorate.

—suggest that state boards of education may be more important than the academic literature says. Good boards often play an active role on important issues and in fact do modify chiefs' proposals. Boards may *appear* to be rubber stamps because compromises are simply ratified in public or because chiefs adjust their recommendations to what they believe their boards will accept.

—highlight aspects of the policymaking process often overlooked in academic writing: The role of accident—Colburg runs into the governor leaving the capitol, and their conversation leads to the appointment of a state board member; the role of timing—the surfacing of a student aid idea right in the middle of Governor Rockefeller's reelection campaign, leads to his adoption of the proposal and a $130 million program; the role of personal background—Nyquist's external degrees program has its roots in his college experience 30 years earlier; the role of the chief's temperament—just imagine Pittenger working quietly, hand-in-glove, with the "good old boys" in Georgia or Nyquist handing out balloons while campaigning at Montana state fairs.

—reveal signs of trouble and turmoil dotting the landscape of state educational governance at the end of the 1970's. Pittenger discusses the shrillness of public life, the lack of civility in government and his view that the system isn't working as well as it should. Nix expresses concern about the trend "where everyone is for self." Nyquist decries the growing mediocrity of the New York Board of Regents, and the challenges to state leadership in this "age of disharmony." Other chiefs express concern about their newly-meddlesome state board of education, who are presumably dissatisfied with their state education bureaucracies.

These insider's accounts, then, provide a variety of insights into the guts and grit of state education policymaking and what it takes to be a chief.

What emerges are the profiles of four intelligent, provocative and reassuringly human chiefs who could hold their own with the best of executives in public or private life—stereotypical, one-dimensional bureaucrats these are not.

State Settings

The states represented by these former chiefs, of course, are not "typical"—indeed, given the diversity that exists, it's doubtful that just four

typical states could be chosen. Rather, the states provide a sense of the variety of settings in which chiefs work. (See Table 1.)

New York has long had the size, resources, and inclination to support big government with well-paid professional staff. The second most populous state, it ranks fifth in per capita income, and only a few small states spend more per capita for state services. This largesse includes education. New York ranks first, spending roughly twice as much per pupil as Georgia. The governance of education is unique among the states with an unusual prestigious and autonomous Board of Regents, often called a "fourth branch of government." Appointed by the state Legislature, the regents appoint the commissioner of education—the job Nyquist held.

Georgia is relatively poor and disinclined toward massive government programs, ranking near the bottom on welfare and per-pupil school expenditures. Its state government reflects a political culture that revolves around personal relationships rather than issues, but this seems to be changing. Georgia's policies have favored local influences, including local control of the schools, an unusual pattern for Southern states typically marked by considerable centralized authority. The state board of education, appointed by the governor, is considerably less visible than New York's regents and its authority does not extend to higher education. As in many other southern states, several state agency heads, including the chief, are popularly elected.

The combined area of New York, Georgia, and Pennsylvania roughly equals the size of Montana. But Montana is one of the most sparsely populated states—it has just 700,000 people, one twenty-fifth the population of New York. State government has been small, reflecting the population, and it isn't known as a leader in innovative programs. Montana's politics have been marked by a history of weak controls over business exploitation of minerals and timber—although "go-slow" environmental policies have recently taken hold—but liberal support for welfare and social programs. The state's school expenditures per child are slightly above average for the nation. The state board of education is appointed by the governor, a pattern found in 31 states, and the chief is elected by popular vote in partisan elections that historically have been closely contested.

Highly industrialized Pennsylvania is the fourth most populous state, with more than 80 percent of its population packed in metropolitan areas. But ranking 16th in per capita income, it lacks the wealth of New York. While its per-pupil spending for lower education ranks eighth, it is near the bottom in support of higher education, ranking 48th. Pennsylvania politics caricature American politics—bossism, intermittent corruption, big labor, heavy industry. Nonetheless, state bureaucracies rank high on professionalism and program innovation. The governor has relatively strong formal power,

including authority to appoint the chief, a pattern found in only four other states. The governor also appoints the state board of education.

Chiefs sit atop bureaucracies—state departments of education—that vary considerably in resources, responsibilities and influence. The Georgia and Pennsylvania departments are larger than average and in 1974 each had an administrative budget for internal operations of about $16 million. In 1975, Nix's salary was $35,000 and Pittenger's was $40,000. New York has long had the largest department in the country—larger, in fact, than the U.S. Office of Education—and in 1974 it had an administrative budget of $40 million. Nyquist's 1975 salary was $57,650. Montana, one of the smallest departments, had an administrative budget of $3 million, and Colburg had a salary of $20,000 in 1975.

These four departments, and their counterparts in other states, engage in a wide variety of core activities. One is to oversee and to influence the distribution of large sums of money to the schools. The stakes are high—education is the biggest item in most state budgets, and the states now contribute more than local governments to the support of the schools. Another central activity is the administration of a growing number of categorical programs, which involves compliance monitoring, technical assistance, auditing, and evaluation—relatively new activities for most state departments.

State education agencies also provide a variety of services to local school districts: statewide reports, inservice training, planning assistance, and curriculum guides and advice. In addition, they regulate the basic conditions of schooling—building codes, accreditation requirements, length-of-school-year requirements—and perhaps most important, they regulate entry into the profession through certification requirements. More recently, states are trying to regulate the *quality* of schooling through such mechanisms as minimum competency testing.

Some state departments of education do even more. A few, New York and Pennsylvania included, oversee higher education as well as the schools. The Georgia department, as in many southern states, is responsible for choosing suitable textbooks for use in the schools. The New York department is also responsible for vocational rehabilitation, the state library, the state science museum, the licensure of 30 professions and, as Nyquist is fond of saying, practically everything educational from "two to toothless."

Origin and Methods

The idea of interviewing former chiefs was conceived by John Pittenger while he was a visiting professor at the Harvard Graduate School of

TABLE 1
Selected Characteristics of Sample States

	New York	Georgia	Montana	Pennsylvania	USA Average
(1)[a] Selection of chief[1] (1980)	Appointed by board	Elected	Elected	Appointed by governor	—
(2) Salary of chief[2] (1975)	$57,650 (1)[b]	$35,000 (22)	$20,000 (50)	$40,000 (11.5)	$33,367 —
(3) Salary of top school district superintendent[3] (1975)	$52,000 NA[c]	$45,856 NA	$32,000 NA	$47,503 NA	NA —
(4) Staff of state education agency (SEA)[4] (1975)	4,000 NA	1,500 NA	150 NA	1,000 NA	NA —
(5) Administrative budget of SEA[5] (millions) (1974)	$40 (2)	$16 (4)	$3 (40)	$16 (5)	— —
(6) Population of state[6] (millions) (1977)	18 (2)	5 (14)	.7 (43)	12 (4)	— —
(7) Per-capita income[7] (1974)	$6,224 (5)	$4,662 (35)	$4,776 (34)	$5,490 (16)	$5,168 —
(8) School expenditures per pupil[8] (1974)	$2,005 (1)	$1,000 (39)	$1,269 (18)	$1,446 (8)	$1,190 —
(9) State share of educational revenue for public schools[9] (1974)	39% (27)	44% (22)	26% (45)	46% (18)	41% —

[a]Table footnotes are at the end of the chapter.
[b]"1" represents the highest ranking.
[c]NA = not available.

Education in 1977. Preparing to teach a course on the state role in education, he was struck by the dearth of up-to-date material on the dynamics of state policymaking. He was also struck by the vampire-like quality of much of the research on the states—the blood was removed from the subject. For example, one was more likely to be presented with a table ranking the influence of the "Georgia governor" against that of the "Georgia chief state school officer" than with a telling account of the pitched battles between Jimmy Carter and Jack Nix.

It occurred to Pittenger that each year several chiefs retire who know a great deal about how the system works, but who would never write about

their careers. Therefore, Pittenger obtained a Ford Foundation grant to underwrite debriefing of two chiefs. He chose New York's Nyquist and Georgia's Nix because the two men and their states offered some striking contrasts. Each of these men was interviewed for about six hours in the spring of 1978 at the Harvard Graduate School of Education. Pittenger did most of the interviewing aided by graduate students George Penick and Stephen Tracy, who had done background research on the two chiefs.

The result—three hundred pages of typed transcripts—was too long to be published. I suggested that similar interviews be conducted with Pittenger and Colburg of Montana (who was then a visiting professor at Harvard), and that all four transcripts be substantially condensed and packaged together. Once more, the Ford Foundation provided a grant to cover the costs. Pittenger and Colburg were separately interviewed in the spring of 1979 by Colburg, Pittenger, Penick and me; each of these interviews lasted about four hours.

In editing the transcripts—to about one-fourth their original length—my objective was to come up with a readable text that faithfully communicated the thoughts and styles of the chiefs. This required eliminating or clarifying ambiguities, false starts, distracting digressions, and hard-to-penetrate sentence construction—all features of conversation that become glaringly obvious in print. It also required rearranging some sections, paragraphs and sentences, or condensing the material. To check against error or distortion, the excerpts have been reviewed and cleared by the respective chiefs.

Interviewing chiefs, of course, is neither a foolproof method for studying state leadership nor a substitute for other research approaches. The chiefs are the stars of these stories, and personal recollections can be self serving and inaccurate. To be sure, one yearns for corroborating evidence and opposing points of view—especially Governor Carey's assessment of Nyquist and President Carter's evaluation of Nix. But these interviews do fill an important gap in the literature, as they highlight the interplay of context, structure, climate, events, issues, individuals and groups—factors crucial to an understanding of how state education leaders make the system work.

Table Footnotes

[1]According to the Council of Chief State School Officers in 1980, 18 chiefs are elected, 27 are appointed by state boards of education and five are appointed by governors.

[2]Doris Ross, *Fifty Education Chiefs: A Basis for Comparison*, Denver: A joint publication of the Council of Chief State School Officers and the Education Commission of the States, April 1976, p. 2. Data are from May 1975.

[3]*Ibid.*, pp. 7–8. Data are from May 1975.

[4]These figures are estimates of total staff of each state department of education, supplied by the chiefs during the interviews. These data apparently have not been tabulated by the U.S. Office of Education since 1972.

[5]National Center for Education Statistics, *Statistics of State School Systems*, Washington, DC: Government Printing Office, 1976, p. 57. Data are for 1973–1974.

[6]The Council of State Governments, *The Book of the States 1978–79 Volume 22*, Lexington, KY: The Council, 1978.

[7]Ross, *op cit*, p. 21. Data are from 1974.

[8]*Ibid.*, p. 21. Data are from 1974.

[9]National Center for Education Statistics, *Statistics of State School Systems*, *op cit*, p. 53. Data are from 1973–74.

I

Ewald B. Nyquist, New York Commissioner of Education, 1969-1977

Deputy Succeeds His Boss

QUESTIONER: Joe, let's start at the beginning. You were number two man in the New York State Education Department when your boss, Jim Allen, the commissioner, was summoned to Washington in 1969 to be U.S. commissioner of education. Right?

NYQUIST: Yes, that's right. In 1955, when Jim became New York commissioner, he had promoted me to associate commissioner from assistant commissioner. Then two years later he hadn't filled the job he had vacated, executive deputy commissioner, so he asked me. I was twelve years as executive deputy when he went to Washington.

Q: When he left I assume you were a candidate to take his place.

NYQUIST: I wasn't a candidate for the job. I was open if somebody asked me but I didn't seek it. And I was not a unanimous candidate, by a long shot. I think the vote of the Board of Regents was somewhere between 8-to-7 and 10-to-5.

Q: Why the split on the board?

NYQUIST: When Jim Allen left he enumerated his reasons and said, "You know, it's not as much fun anymore." The caliber of the Board of Regents had changed. About two or three years before, people came in as regents who were much more conservative

than they had been in the past, troublesome people who resented the high public visibility that the commissioner of education has always had in New York—you can't say "boo" without getting a headline. They thought the regents should have the visibility. By the time I was considered, we had probably six people on the board who were different in those respects. They'd monkey around with administration. Some of them spent damn near full time on being a regent, roaming around the state meeting with groups. I always felt, you know, that some regents were in there to watch the commissioner of education. Well, that was the change in the board, so they split.

Advocate for the Underdog

Q: When you took office did you have any particular goals and priorities in mind?

NYQUIST: No, I didn't have any agenda. You know I gave the memorial address for Jim Allen at The Woodrow Wilson School at Princeton University. They asked me to be candid, and I was. Jim Allen was never a good administrator in a strict sense. He was a leader but he wasn't a good administrator, so I did a lot of things for him and I got into everything. And obviously being number two guy to Jim for 12 years, you're pretty much in tune with the policies and the agenda. Jim was liberal. I think of myself—if you want to use labels—as a liberal and on the humanistic side, and he was too, so there were some things I had in mind, but there was no agenda.

I'm an advocate and I've long understood two things in public life. You live in a goldfish bowl. The trouble is, somebody keeps trying to poison the water all the time. And the other thing is that the surest formula for failure is to try to please everybody. When you advocate something, you know there is going to be discontent and you aren't going to get a majority for you, not everybody, anyway.

Q: For what or for whom did you see yourself as an advocate?

NYQUIST: For the underdog. The overdog can take care of himself. I took the espousal of racial integration where Jim left off and that was one of the principal reasons for my getting fired. I'm pretty

sure that it was the first discontent that the regents had with me. Larry Cremin, the president of Columbia University Teachers College, a brilliant guy, once said that a universal system of education is ultimately tested at its margins. All right, we have a universal system, but for a long time we forgot the fringes, the handicapped, those who have been affected by poverty and prejudice. And there are the gifted. It's a prenatal offense to be born with any brains in this country. We have no intellectual heroes, a lot of muscle heroes. What else? I've been a militant feminist since 1953, for women, an underdog. I've been for kids. I think I was one of the first to come out with a brochure on student rights.

Powers of the Commissioner

Q: Joe, say a word or two about the powers of the commissioner because they go beyond what exists in most states.

NYQUIST: The commissioner of education in New York has a triple responsibility. One is the president of the University of the State of New York, that big, glorious concept. The second is executive officer-commissioner. The third is the quasi-judicial function.

Q: On your third responsibility, I take it you had very broad discretion to review all decisions made at the local school level.

NYQUIST: Anybody who has standing in the state can appeal everything from dress and grooming to whether a teacher can wear a bikini while teaching junior high swimming to social integration to church-state questions.

Q: How many of these cases came to you in a year?

NYQUIST: We're a highly litigious society. The caseload up until when I became commissioner was 150 per year. That increased to 300 or so when I left. The arrangement was that either the commissioner or the executive deputy commissioner could hear appeals. So he got the minor cases and, as much as you could tell in advance, I got the major ones. We split about 50–50.

Q: This must have taken a lot of time.

NYQUIST: There was a usual time limit in each case, 20 minutes for each

side, which I busted for desegregation cases and other controversial issues. These were all appellate cases—no witnesses or testimony. Lawyers would argue the merits or a layperson could argue his own case, which took extra time.

A couple of times members of the Legislature would want to be heard and I'd say, "Sorry, Senator, tough. Now, you're a lawyer, you understand that this is an appellate proceeding and the answer is no." I did make an exception once when I supported a local board that had decided to close a neighborhood school for economic reasons. The whole place erupted and the mayor, legislators and all the citizens came up to our place from the school. The hall was full with several hundred people. I let the mayor and the legislators talk. It was politic in the best possible meaning of the word, in view of the numbers of people there. They've got to get reelected too. But otherwise, I never made an exception. I called them as I saw them. There's no other way to do it.

Managing the Department

Q: Turning to your role as executive officer, let's talk a little about the management of the department and the constraints you faced. A good place to begin is the civil service.

NYQUIST: Except for the top 50 people or so, the rest of the staff, 3,500 to 4,000 of them, were subject to civil service examinations and ranking and all that junk. There were some improvements over the years, but it took forever to get a job description, have hearings, and defend the job. People would come in on a temporary appointment who might not make the final exam. There were ways of getting around the rules, but it took a lot of work to do that. It's tough to get good people under those circumstances.

Q: Would you go to a total patronage system?

NYQUIST: You can't trust the political state departments. I would decentralize authority under an agreed-upon set of principles to places like the state Education Department. This would get faster action.

Q: Another management problem is getting reliable information. Did you rely on official channels or use other means?

NYQUIST: There's one principle I always had—pick damn good people, trust them and decentralize responsibility and authority. I never wanted to be surprised by some trouble or especially a scandal. I trusted the staff to go out in the field and to know what the heck's going on.

A second way we operated was by hearing directly from representative groups—we couldn't have been more democratic. I invited them to be candid—something I learned at my mother's knee and other lower joints was to be candid and tell the truth. I met with so darned many groups. One of the problems was to give priority to six or eight or ten of these and provide ceremonial functions for the rest. But I've never gone out in the field, except once, and that was when I felt that I was getting confusing input.

Q: Did you have any personal staff?

NYQUIST: I've always believed that you complicate life for your top people and your organization if you begin to give operational authority to executive assistants. I had an executive assistant, though, for legislative liaison, and a special assistant for legislative liaison with Washington. Then, in the last two years, I got a wonderful guy to help me with speeches. Well, I met every issue with an open mouth, and I used to write all my speeches up until about 1975 when I got a heart attack. I thought it was time to start working five or six days a week instead of seven, so I got help. It got so that he could write and tell jokes that even his secretary couldn't tell if he or I had written them.

Q: No friction between them and those with operating responsibilities?

NYQUIST: Never, not my guys. Not those guys. They conformed with my theory. I just think executive assistants with power louse up the scene.

Q: Did you have a system for evaluating your top people?

NYQUIST: No. Jim Allen was a warm-hearted, compassionate human being. I had to be the sonofabitch for him, okay? He was reluctant to get rid of somebody who was no good. I think he did it once, as I remember. So I inherited some mediocrity from him, about three guys. Two I fired with compassion—gave them a

lot of lead time. I was never very sure about the other one. Probably should have gotten rid of him, too, but he was a cut above the others. Otherwise, I think I had some superior people there.

My successor, I think, fired two people that he had inherited from me. The first one, I had inherited and I thought he was a constructively abrasive guy. The regents went after him, but I supported him. Maybe his usefulness was over. You can't be abrasive *all* the time, you know, even if you're constructive. The other one was a person that I had appointed, and unfortunately a female. You get input all the time. You get it from the field. "Joe," a superintendent comes up, "this person stinks." Okay, if you respect the guy, you listen.

Q: How did you handle the problem of promoting insiders versus outsiders?

NYQUIST: When there was just no question that we had the best person inside and when we had the testimony of outside people pushing the appointment ahead of time, you know you're not going to look outside. In some cases, where we didn't have any doubts but wanted to reassure ourselves that we had the best person, we'd go outside. Once in a while, you found a better person and sometimes you didn't. When we went outside, I set up a system of six or seven of the top guys in the department to act as a council, but I made the final decision. If there was going to be a lemon, I was going to take responsibility for it.

Q: Did most people at the top level have fairly long experience with the department?

NYQUIST: No. A lot of top people were appointed from the outside. All commissioners, though—myself, Jim Allen, Lou Wilson and Gordon Ambach—have been executive deputy commissioners.

Q: What about affirmative action?

NYQUIST: It was frustrating as hell, and only partly successful. First, blacks came from large cities in the North and they didn't want to live in Albany. And because we were compelled to set up affirmative action programs, we made some mistakes. Then came the Puerto Ricans and the women. So it was always troublesome and I was never satisfied that we had enough

blacks in the department. Because the female push was more recent, I was more satisfied there. I appointed the first female to a commissioner-level job.

Q: In Pennsylvania 10 years ago, my department had a strong anti-Catholic prejudice. Did you have similar problems in New York?

NYQUIST: Never. I've said publicly in many speeches that I'm not commissioner of public education, I'm not commissioner of private education; I'm commissioner of education. It covers everything. And we just took them on merits.

Relationship with Board of Regents

Q: Let's talk a little about your relationship with the Board of Regents. That's a unique outfit in some ways in this country.

NYQUIST: Right. The Board of Regents was founded in 1784. It grew out of the Board of Trustees of Columbia University, and after about three years was separated from the trustees. Alexander Hamilton was a member of the Board of Regents. By the way, Aaron Burr just missed becoming a member at the same time. Lucky. Maybe unlucky; maybe they'd have gotten to be better friends. So the regents grew out of that higher education context, and it wasn't until 1904 that the commissioner of education and the state Education Department, which began in the 1800s somewhere, were merged under the aegis of the Board of Regents. The regents appoint the commissioner and the board can make law in the state of New York. It's a kind of a fourth branch of government. This policymaking authority of the regents has been challenged up to the U.S. Supreme Court and has been reaffirmed.

Q: What about selection to the board?

NYQUIST: Regents are selected by a joint resolution or a joint meeting of both houses of the Legislature. When I first became commissioner, they were elected for 15-year terms. Now, they're elected for seven years and two or three of them are up in any one year. That was one of the problems. Too fast turnover. There's no stability on the board.

Q: Were you consulted by the legislative leadership on regent selection?

NYQUIST: It's the most irrational process you can imagine. I don't think I was ever asked about individual prospects and I was never aggressive about it either. All I was concerned about was qualifications and quality. One time, after seeing the increasing mediocrity of the people coming on the board, I did go over to the Legislature and say, "Look, you've really got to elect good members to the Board of Regents." But that happened in this atmosphere of anti-busing. Candidates had to pass certain screening questions. One was, "Are you for busing?" If they were, they were out. Another question was, "Are you going to be in charge of the commissioner of education?" Of course, that was easier to answer, and they said, "Sure we are; we're the board." Again, this goes back to the feeling that Jim Allen had too much public visibility.

Q: That's a standard complaint in the textbooks—state boards of education tend to be dominated by the chief. Is that a fair comment for New York?

NYQUIST: The first four or five years that I was commissioner, we had some superb people on that Board of Regents. One was Max Rubin who used to be chairman of the Board of Education in New York City, a lawyer. A brilliant one was Steve Bailey, who is a professor here at Harvard, very articulate. Another was Joe McGovern, who was a lawyer and chancellor [chairman] of the board; and Ken Clark, the famous black sociologist who supplied all that sociological business before the Supreme Court in the 1954 *Brown* case. Those four, especially, but there were others. They counted for more than four and were very influential. The regents knew who was boss—it was the Board of Regents. And they knew who the spokesman was—it was me. But then things began to change, and we had a largely mediocre board. So in our case, for the first few years, the answer to your question would be no. The principle operating today—and this goes for local school boards too—is that mediocrity has a right to be represented at Olympian levels of educational governance.

Q: Has there been any move in the last few years to trim the regents' power?

NYQUIST: There's been no attempt to change the board's legal authority, but there have been attempts to persuade them to change par-

ticular policies, like busing. There have also been moves to take away their jurisdiction over some things. You know, the jurisdiction in New York goes from two to toothless, all the way up to the Ph.D. and licensing of all professions—30 of them—except the oldest one, as I like to say. We have a state library, among the ten biggest in the country, state museums, science services, and vocational rehabilitation.

There have been moves to separate out some of those things and dismember it. There are two moves, as a matter of fact, this week. One is to take vocational rehabilitation out, which is a multi-million dollar operation. We also have—I say "we." I still consider myself there. I'm talking now as a citizen—a $128 million state library building. You know, Rocky and his edifice complex. We took all the marble that Vermont produced in one year and still had to go to Alabama to get some of that white marble to build all his business up there. It started out at $64 million, ballooned to $128 million and the architecture's something out of this world. We call it half Aztec because it resembles slightly that and slightly something else. But it's a magnificent place. Anyhow, they want to slice the library out of the regents' jurisdiction. I think it terribly unfortunate because one of the good things in having this glorious concept of the University of the State of New York—and it is one—is that it affords a natural opportunity for articulation between secondary schools, colleges, and libraries and other forms of education.

Q: Wasn't there a proposal a couple of years ago that the regents ought to be appointed by the governor with the approval of the Senate? Was it seriously considered?

NYQUIST: No. Governor Hugh Carey wanted it. Carey would like to get control of the regents, I'm absolutely certain.

Q: Given your criticisms of the present system, would you support that?

NYQUIST: I said before I left that, naturally, there were some regents I wasn't too happy about, at least eight of them—remember, the vote to fire me was 8 to 7—but there's a good number of past and present regents that I love and still do, and I wouldn't change the system because I think if you take the long view, 200 years, it's worked well. I wouldn't let the governor appoint

them. God help me, I wouldn't let Carey appoint a one. And Rocky would have tried to pack the court like Tom Dewey tried to do. But I would establish a high level screening committee that would make recommendations to the Legislature. If you came up with some damn good names, the Legislature really would be under enormous moral pressure to pick from the group.

Q: Do you think there's any sympathy in the Legislature for that view?

NYQUIST: I don't think so. Our state Legislature is like Congress. They're feeling their oats, after Watergate in particular. I'm not sure they would like to be limited, although they really ought to be because this process of picking regents now is a disgrace.

Q: Joe, to what extent did the regents involve themselves in things like the appointment of top officials?

NYQUIST: There were 40 to 50 people outside the constipated civil service system whom I could pick and appoint and make absolutely no reference to the Board of Regents beforehand. And they never would put any pressure on me, except for the last year or two. Again, it was those mediocre regents with enormous egos who wanted to meddle in administrative things. After the appointments, I'd introduce them at a public meeting of the regents. The only exception was the executive deputy commissioner, who by law had to be approved by the regents. But they never second-guessed me on that either. I'd announce who it was; they'd applaud. I know what my weaknesses are, some of them. One of my strengths was the ability to appoint good people.

Q: Your system really winds up being somewhat like Pennsylvania's, where the board makes policy but you're not responsible to them for the administration of the department.

NYQUIST: To the contrary, I think one of the functions of a board of governance is to oversee the quality and administration of the institution. I've always been appalled at college trustees who let the chief administrative officer bankrupt the place. So when I became commissioner, I instituted a monthly report to the regents on what we were doing, how we were spending certain

money, and some of the efficiency studies we were making of the department's operation. We were accountable to let them know what was going on, but they never got picky and tried to tell me how to run things. A couple of regents tried to get me to fire a staff member, but I didn't yield.

Q: I understand that you came up with a draft document that would have more clearly defined the boundaries between the policymaking role and the administrative role, and that it never really went very far.

NYQUIST: Let me tell you some background. When Jim Allen was executive deputy commissioner, he had a couple of regents who began getting into administration. So when he became commissioner, he developed a statement, signed by him and the chancellor, which spelled out that the board legislates and the commissioner executes. When I became commissioner, I wrote a much longer statement, a good statement, on how the regents should deal with staff. The problem was that regents would call up some subordinate down the line and this poor staff member couldn't resist some dumb suggestion. So I was always telling my top guys that policy had to come through me. I didn't want any staff member criticized directly by a regent. And two or three of them were really beasts when it came to bawling out staff. If they wanted to give me hell, okay, but not them.

So I gave the statement to Chancellor McGovern, who agreed with me, and we had a meeting of the full board on it. Some of the newer regents raised questions about it, so we had to revise it. About that time, Joe McGovern, a wonderful person, a humanistic, wonderful chancellor and a guy who led, decided to retire—he wanted to return to law practice and the chancellorship takes over two or three weeks a month of your time. Well, anyhow, McGovern thought he should pass on the statement to the next chancellor who, it turned out, had different notions of leadership and conduct of the board—a good friend and supporter, just quite different. So he rewrites the whole thing, never circulates it and so it finally ended up nowhere. Oh, I remember one part of the original strategy—I was not to divulge my authorship, but let it come from the chancellor. It would generate more opposition if they knew I was involved in the thing. Well, there you go.

Governors Rockefeller and Carey

Q: What were the differences in the way you dealt with Rockefeller and Carey and their staffs, and their attitudes toward you and your operation?

NYQUIST: Whatever else you want to say, Nelson Rockefeller knew how to pick good people. With all his damn money, he could hire anybody. Right from the beginning, he created a sense of coherence in state government and a cooperative spirit, and that was great.

The second most powerful guy in state government was Rockefeller's secretary—not some stenographer you understand. Of course, also the state director of the budget. Rocky had some wonderful secretaries, and when I think of Carey and *his* crew, some of whom can't open their mouths without subtracting from the sum total of human knowledge, I'll tell you, Rocky's position with me just goes way up, even further than where I'd usually put him. At Cabinet meetings, he'd come over and chat. Once I can remember he wanted to publicize drug education. "Joe, you have to come over and say something here. I'm going to announce this." I went around the state helping him interpret his program. It turned out to be a draconian program that slapped people into jail for life for smoking a couple cigarettes. Anyhow, I was always very cooperative with Rocky, and also had this cooperative attitude towards Carey, too. But, hell, Carey was inaccessible.

I only went to Rocky himself once, when, in his more conservative years, he created the inspector general for education.

Q: I wanted to ask you about that.

NYQUIST: It's hard for me to document these things, but I'll give you a visceral reaction. People began to get concerned about the turbulent '60s in education, and they sure as hell began to get concerned with the cost of education. And we weren't successful with a of a lot of kids in the colonized ghettoes, in particular. So Jim Allen and the governor—we always tried to get the governor to join us in something—proposed a large-scale study of all the problems of private and public elementary and secondary education, and Rocky bought that just before Jim left. This was the Fleischmann Commission.

That damn study cost one or two million bucks, something like that. Well, the first volume comes out with one chapter saying, "We need more federal money." And then three "noncontroversial" chapters on, "We need to integrate all the schools in New York." That was the theme, I'm not kidding. Another chapter was on no public aid to private elementary and secondary schools. What's our Catholic population? Thirty-five percent? And another one on 100 percent statewide financing of education. So this hits the fan with the Legislature. And Rocky was disenchanted and the legislators and the media pumped it up. Then the other volume came out about what was going on in the schools and costs.

By this time, Rocky had aspirations to be president of the United States and the mood of the country was swinging, and so he gets this inspector general idea. I think he had appointed one in the welfare field a year or two before that and so he thought he would translate that into education. And he put in charge what I call a spherical S.O.B., an all-around one, who was well-known for being terribly bright but he could light up a whole room just by leaving it! He was just god-awful. Well, after a year or so, I don't know how long it lasted, that office was abolished and every year somebody moved to create it again, but it never has been.

Well, one day at a cocktail party, after it had been created, Rocky came along and said, "Hi, Joe." "Governor." "How are you, Joe?" And I said, "Well, you're making a hell of a lot of trouble for me." Newspapers—it got in the newspapers. Another remark I made about Carey—why the Irish had never learned to play golf. They never learned to swing a club underhand—also got in the papers. Anyhow, Nelson was taken aback by this and said, "Joe, make an appointment. Come to see me." And so I did. By god, he was accessible. Even though that's the only time I asked, he was accessible, in contrast to Carey, who I think hides in closets up there. We had our chat and I don't think I changed his mind on anything. He didn't like one of my staff members, and had a mistaken judgment about him. I told Rocky so, although I'm not sure that was profitable. But he was willing to listen for over an hour.

Q: Joe, did you ever get any pressure from Rockefeller or Carey or their staffs about hiring?

NYQUIST: Never. As a matter of fact, I never got any pressure from any legislator either. They knew we had the protective autonomy of constitutional status. The black and Puerto Rican legislative caucus would survey all of state government on affirmative action. But it was in this larger cause, not pressure for particular individuals.

Q: Did you clear your legislative proposals with the governor and his office?

NYQUIST: We developed our complete program, but wouldn't announce it until we consulted with Rocky or Carey. Rocky was very generous; he'd spend two or three hours with us, and he wasn't always happy at some of our recommendations. It was hard to get to Carey to tell him what anything was about.

Q: So the session with the governor wasn't a bargaining session?

NYQUIST: That's right. We were trying to get his understanding and support. Sometimes that worked very well, especially in an election year. I remember one night Rocky decided to make some television tapes. He held up the regents' legislative brochure so it showed, saying "This is my agenda in education." That resulted in the tuition assistance program, which is now about $130 million a year. Increasingly, though, the legislators and the governor disregarded our recommendations.

Q: One of the frequent criticisms I heard on my trips to Albany was that the department, especially in later years, was not being realistic about the state's fiscal problems, and this was embarrassing to the Legislature and the governor. Could that be a reason why your recommendations received less attention?

NYQUIST: Well, possibly; except the Legislature and the governor then went ahead and did something that perhaps was even more irresponsible, like "save harmless" clauses for all school districts, which meant a vast increase in state aid. In an election year, Carey would come out for increased state aid, while my nemesis, John Dyson, a hatchet man for Governor Carey, was saying, "Education costs too much. You should cut out so many hundreds of millions of dollars of state aid, not give them any more."

Working with Legislators

Q: Did you make personal contacts with legislative committees to get your legislative program through?

NYQUIST: Very seldom, myself. The commissioner of education has a lot to do, and we had a good system for advocacy and for supplying information. It was a conscious choice not to spread myself so damn thin. On the other hand, and I'll be completely candid with you, I don't have a political appetite. My guys know this. When I hired my legislative assistant, Bob Daggett, I said, "Bob, I just can't bullshit and compromise and all that sugary stuff. Hell, I got diabetes." I meant that in a metaphorical sense. I'm not a gregarious person. I hate cocktail parties, weddings, and all that junk. I know this about myself and it takes a conscious effort on my part and preparation too. I don't have political instincts, okay? It is one of my failings. I think I should have become more political, but I couldn't have done anything about it. But what the hell, I'm not going to change myself.

Q: So, in a sense, your operation tried to minimize one of your weaknesses and capitalize on your strengths.

NYQUIST: Jim Allen had the same system, but he was much more political than I was—no question about it. As a matter of fact, people always said that I ran the department. He was Mr. Outside, I was Mr. Inside. Well, there you are, the candid admission. I don't know; I suppose I should have been more tolerant of the stupidities that you meet within the political arena. I just couldn't stomach it.

The Budget Process

Q: Could you talk about the process for establishing your administrative budget and how the department related to the governor's office and the Legislature?

NYQUIST: It's divided into three periods. Prior to 1955 when Jim Allen became commissioner, the bureau chiefs used to go across the street to the Legislature to get what they wanted. There wasn't much to the budgetary process. Even in 1955 the process wasn't adequately democratic and comprehensive, and it

didn't become that way until I became executive deputy in 1957. Maybe that's self-serving, but it's true—sometimes I say modesty is an overrated virtue. I made the process much more democratic and rational and the department laid down a rule: By god, nobody went across the damn street and made an individual sally for their own program. The people I appointed myself were to be the advocates for the total budget.

I instituted departmental hearings and I began to tie in federal funds. You know staff takes on the coloration of the money that supports them. With a foundation grant, they act differently; the federal-supported people act differently, like vocational education. The hearings jarred them into realizing that they were not masters of the funds that came from outside sources and that we also allocated those funds.

Along about September 15, after going through the regents twice, once for a general review and once for a final countdown, we would submit the budget to the state director of the budget and then we'd go over there for a budget hearing. Sometimes this could take all day; sometimes it was very short, meeting for only three hours. Then that was followed by a legislative hearing, too.

Q: Back to the budget hearing for a minute, was there room to negotiate?

NYQUIST: Every year we got the standard caution from the governor's office that there were limited resources and you can't throw away public money. But then in 1972 came a zero-growth budget year. I can't remember the details now, but we had already formulated our budget when we got the word. I think we then published both our original budget and the zero-growth budget, explaining that we were under strict governor's orders in the case of the smaller budget. We published both not so much to maintain our independence, but to show what education really needed. Rocky was very grateful and flattered that we had complied because we were big spenders. At the next Cabinet meeting he said something personally to me along these lines and it was very flattering.

That year the governor tried to apply zero-growth to state aid increases to public schools, and at a later Cabinet meeting he said, "Joe, is this $150 million that we cut out going to have a

serious impact?" I said "Yes." Obviously, someone on his staff, reflecting the political reaction to the cut, said, "Boy, we can't get away with this." I remember it was restored. It just wasn't politically feasible to keep it at zero growth.

Q: I take it that both you and the regents felt that you were not bound by the governor's budget?

NYQUIST: Absolutely. Our one principle was that the regents were independent. We reiterated that almost every year, particularly for new regents. We had the duty and the task to indicate, prudently, of course, what education needed. We knew we were not going to get it all, but at least we provided ideas and guidance. Now, with respect to the administrative side, the sixties and fifties were generous years. The slowdown in administration support began with the zero-growth year and thereafter it was terribly difficult. Now under Carey you have a position freeze.

Education Interest Groups

Q: Let's talk a bit about your relationship with the various educational interests groups on the Albany scene.

NYQUIST: With the school superintendents, my relationship, if not superb, was up there somewhere. I came up the higher education ladder and there were a lot of superintendents who were secretly against me. But I gained their respect and indeed affection over a period of time. When I left, they made me an honorary member—which they don't throw around.

With the School Board Association I had a good relationship.

Q: Let me stop you there a minute. You were a strong commissioner who didn't back away from controversy, and I've heard you describe local control as a minor branch of theology. I'm a little surprised.

NYQUIST: I never went out of my way to ingratiate myself with anybody. This doesn't mean that every one of 3,000 school board members loved me. But time and again I've had people come up and say they've always appreciated my saying it like it is, developing my own rationale, and not being ashamed of it, and not

ducking issues or compromising. Maybe that's it; I don't know.

Q: Well—to go on. What other?

NYQUIST: The teachers' union. I don't think my relationship with them was all that great, especially after the NEA and the AFT affiliates merged and became NYSUT, New York State United Teachers. It became much more politically oriented and much more influential. If you take any group, the teachers' union has extraordinarily more influence—by a wide margin—with the Legislature and the governors.

Q: Is the union concerned about the licensing of teachers?

NYQUIST: The Department of Education in New York, unlike most states, licenses professions, except law. And going back to the '50s, teachers have said, "Teaching ought to be like medicine. We want the same status." But when you get the final countdown, they don't want to be handled like the other professions, including medicine. The union wanted to name their own members to the professional licensing board. Well, the medical profession doesn't. And you can make a case that teaching is not a profession. You're not alone like a doctor, but exist in an interlocking complexity of school board members, superintendents and everything else. So there are all these complications and every year this debate has gotten more bitter. I don't know where it's going to wind up. Maybe next year after the election, the teachers' union will say, "Don't forget who got you elected." They contribute thousands of dollars from their political fund to fight against someone they don't want or to make sure someone gets in. They may well cash in their chips and get the licensing board as they want it. Superintendents and school board members know they are lower down on the totem pole than teachers in terms of prestige and power and I've said publicly that this imbalance has got to be redressed.

Q: How do you do it?

NYQUIST: Well, I've come to the conclusion that bargaining ought to be in the sunshine, be public. I also think bargaining maybe ought to proceed on a regional basis, but that's for other reasons, although that would tend to cut down on the whiplash effect of separate local district bargaining.

Q: The real imbalance, Joe, is not so much at the bargaining table as it has been in the Legislature. Somebody said, "God is on the side of the big battalions," and the big battalions in the educational world are the teachers' unions. New York has a lot of members, and it's allied with the AFL/CIO. How do you counterbalance that?

NYQUIST: I don't know what the answers are.

Q: I remember your saying four or five years ago that you thought statewide bargaining was inevitable.

NYQUIST: I still do. We've got 750 school districts and I don't see that number getting reduced any more. And I can't see many boards and superintendents individually negotiating. All the wear and tear distracts them from educational policymaking, sometimes for long periods. I think that if you lift this at least to the regional level, and I think inevitably to the state level, it just relieves them of a burden that they ought not to bear. If we go to increased statewide financing—and we have this school finance case out in Long Island—this inevitably lubricates the way toward collective negotiation at the state level.

Q: I wonder, Joe, aren't you arguing against yourself? You said earlier that the regents are becoming more politicized, and the Legislature and the governor are highly responsive to the union. How does that result in a better deal than local bargaining? Or are you saying that even if the result isn't any better economically, you'd favor it just because it leaves school districts free to deal with education?

NYQUIST: Yes, and I've always put it in those terms.

Q: Is there any outfit on the state level that is speaking in behalf of kids that constitutes any kind of a power group?

NYQUIST: There's little outside the Board of Regents and the commissioner and the department. While I was commissioner, I never forgot what I was there for—the students in the state.

Q: A final question on interest groups. The New York Conference Board, composed of the education interest groups, is famous in the academic writing on educational politics as the prime example of coalition politics at the state level. Could you comment on what's happened to the board during your 26 years in the department?

NYQUIST: There's been quite a change. I think at one time they were influential. We would independently develop our state aid proposals, which was the main gutsy issue for this organization, and the Conference Board would ask for much more. But they became very unrealistic in making demands. One of the bad fiscal years, we wanted $250 million, or some figure like that, and they wanted half a billion or so. So later I don't think the Conference Board in influence really amounted to very much.

Q: The academic writing says that the growth of teacher unionism, more than anything else, has broken up these state level coalitions.

NYQUIST: Yeah, they know they've got the votes and they're strongest.

Q: Do you see any possibility of reviving a coalition of state-level people concerned about public schools?

NYQUIST: I wouldn't discount it on a long-term basis, but I don't see it coming about in the next five to ten years. Relationships aren't that good now between superintendents of schools, school boards, and unions. I don't see peace and harmony and equals working with each other for a very long time. The teachers' unions have large war chests. Boards and superintendents don't. It's an unequal contest.

State-University Relationships

Q: You said earlier that the regents have the authority to accredit all institutions of higher education, public and private. I understand, though, that your authority is being tested in the courts over the accreditation of doctoral programs for the State University of New York. Is there anything you want to say about that?

NYQUIST: A few years ago I formed a high-level committee, chaired by the president of the University of Michigan, to make recommendations on graduate work in New York. They came up with a good report saying that there was a surplus in many areas, that the quality was very variable and that we should undertake a review of all doctoral programs in the state. So we inaugurated this evaluation of the 15 or 20 doctoral degree-granting institutions in New York. Some presidents loved it because they had long wanted to cut out, say, chemistry,

which is damned expensive, but how do you do that with your own faculty? Well, here comes the state, which wants to do the same thing—this is great, we gave the presidents help.

The State University was the only real challenge. They said we didn't have the right to disaccredit programs and there was rich rhetoric about the autonomy of the university. Even the governor's office got involved—they wanted the governor to have the final say on quality. We'd had this power since 1794 and weren't about to give it away to anybody. Whereupon the governor's office introduced this empowering legislation, and it was turned down by the legislative education committee. So help me god if they didn't introduce it again—I think it was in the last few days of the session. Boy, we really had to work, but we got it killed. The governor's office was not happy. We were willing to compromise except for having the final decision on quality, but the governor's office wouldn't accept our proposal. So SUNY went to the Supreme Court, our lowest court, which made a decision in our favor. I've never seen a more unequivocal, tighter, or clearer decision. So they took it to an intermediate court—same kind of decision from them. The week before last it was argued in the top Court of Appeals. Now we'll see where that goes. [The Court of Appeals in New York later unanimously ruled in favor of the commissioner.]

State-Local Relationships

Q: Let's talk about your relationships with local school districts and what needs to be done to improve them. There's been a lot of talk in the last ten years about school-site management—roughly the notion that the school building ought to be the fundamental unit of the educational system. What about in New York?

NYQUIST: I've preached for years that I think the principal is the most important person in the education of kids, because he sets the tone. There have been ample experiments to show that a good principal and a lousy principal are going to produce entirely different results, even with the same teachers, same student population. So I have preached the doctrine that every tub ought to stand on its own bottom with strong reliance on the principal and his staff along with strong parent involvement. That's school-site management, although I haven't called it

that. Now whether that's taken hold, I can't say. But I certainly believe in it.

Q: I've heard some superintendents say that they're in favor of the idea but teachers' unions require everything to be uniform in the district, therefore preventing the devolution of authority to the building.

NYQUIST: Absolutely. There are clauses in contracts which prevent you from doing certain things. I think that is to be regretted.

Q: What happened to your plans for competency-based teacher education?

NYQUIST: CBTE was a complicated thing, perhaps too complicated in this era of disharmony and growing teacher unionism. And perhaps no one can really define teacher education in behavioral terms adequately. Teachers don't really want to be accountable, you know—they don't. I gave a speech once on accountability to Al Shanker's group, and got booed. He was kind enough to quiet them down. It was not an unexpected reaction, but they were raucous. This was about 1970, and it impressed me that it was never going to be possible to make evaluations of teachers popular in any way.

Q: I think we are all painfully aware right now that public confidence in the public schools, at least by some measures, is lower than 15 or 20 years ago. What can a chief do?

NYQUIST: I call it the "Veneration Gap." I think we're reacting against all sorts of institutions—the '60s were the turbulent '60s, and I call the '70s the "cynical decade." There's a lack of confidence in the courts, bureaucrats, traditional processes, legislators and politicians. It's also a reaction against the trouble on the campuses and in the schools, and the high cost of education as against the results. My gosh, it's going to cost 8,000 bucks a year to go to some colleges this year. And of course educators promised too much in the '50s and the '60s; we're vulnerable. But you can't put blame on just one place—we were going to have peace, no more pollution and no more prejudice and poverty. The expectations were much too high; we couldn't deliver. All of a sudden, citizens were better educated—legislators, too—and they found that we educators are fallible human beings, that maybe we were making a few mistakes and that kids still can't read. Confidence dwindled. But that's not

going to last, in my view. I think that's a temporary reaction lasting a decade, a decade and a half or so.

What can you do about it? I can remember four or five years ago getting fed up with criticism from all quarters and directing the staff to come up with a brochure on "What's Right with Education in New York State?" That was useful to many superintendents and members of school boards who were puzzled by all this criticism and were trying to interpret what was going on. Good school board candidates wouldn't run for election—who wanted to take all this guff? So we attempted to restore confidence by interpreting the essential purposes of education and providing a sample of the good things that were being done. I don't know how else to proceed.

Q: Were you regularly criticized for taking too strong a stance on local matters?

NYQUIST: Have you ever seen our state education building? There's nothing like it in the United States. It's a Greek temple sitting right on top of where Fort Orange was in the 1600s. It symbolizes the importance of education in New York. The expectation, the tradition and the history are that you expect the state to be prominent in education. Of course, every once in a while the regulations become oppressive and they'd say, "Look, Commissioner, you make a regulation up there; you'd better damn well pay for it." But there's never been large-scale resentment.

I also tried to be philosophical with school board members, particularly at our orientation sessions for new ones. I'd talk a few minutes on local control and state control and say, "Freedom for a local school district is the exercise of responsible choice. No district has the right to be as bad as it wants to be, okay? But there are some irresponsible districts, so you've got to lay on a regulation that covers them all." So I'd talk philosophically like that and joke about it, and they'd say, "There's a guy who explained the situation, who said serious things, but coupled them with humor."

Q: Are there any areas, Joe, where you think the state has maybe overextended itself?

NYQUIST: Data collection had become oppressive and excessive. So in recent years we reviewed our forms and cut almost in half the

number of question items. Racial integration—that's another subject all by itself and not too popular. They called it overextension and oppressive, but I didn't.

Integrating the Schools

Q: Could you say a little more about your efforts to integrate the schools, and about the Legislature's move to eliminate the department's money to assist local districts in implementing desegregation plans?

NYQUIST: This elimination of funds occurred during Jim Allen's time. We had developed a program for correcting racial imbalance—that's what it was actually called—and I guess we asked for about five or seven million dollars. We got three, and it stayed at three for a few years. At the height of the busing commotion and the push for racial integration, the legislators eliminated the whole appropriation. The funny part was that only a small part of the $3 million was actually used for transportation. This legislation, I think, was a forerunner of what was to come later, as I continued to carry out racial integration.

Q: What other things did the Legislature do in the area of busing?

NYQUIST: They passed a law which prevented the commissioner of education from reassigning students for racial integration purposes, and it was signed, so help me god, by Governor Rockefeller. This was the first indication that he was turning politically conservative with his aspirations to become president. Well, the law was ruled unconstitutional in federal court. The Legislature then repassed the thing, but Rocky vetoed it. Legislative intervention prevented me for a long time from ordering racial desegregation.

Q: Wasn't there legislation to make your decisions in your judicial role reviewable?

NYQUIST: Yes. Malcolm Wilson, Rocky's interim successor, vetoed the bill when it passed the first time. The Legislature passed it again, and this time it was signed by Carey—which is one of the things I love him for. Prior to the law, a judge could only review my decisions to see if they were arbitrary or capricious. That was changed so my decisions could be reviewed for anything. We fought it, but we didn't make any great fuss. The

courts are not going to go behind the statute to second-guess the commissioner of education on administrative decisions involving educational merit and education policy. I don't think it increased the number of cases much, if at all. But it absolutely was the result of the desegregation conflicts.

Q: You came to the point, did you not, where the Legislature or the governor eliminated specific positions in the budget?

NYQUIST: That was really some year. This is connected with the desegregation of a school district in New York City, and bound up with one of the most liberal guys in the Legislature, a guy named Bronstein. He'd always been a friend. Liberals and I see "aye to aye" on almost everything, but I had good friends among some of the conservatives, too. Anyway, this was his district and he turned against me. In vengeance, the others from the affected areas who were on the finance committee said, "Let's teach the commissioner of education a lesson." They cut out the executive deputy commissioner of education and the associate counsel, John Jehu—they named the position. They were terribly embarrassed by that one, because of all the guys in the department who had been helpful to legislators Jehu was foremost. Jehu who'd been in the department nearly 40 years, a brilliant guy, quit, saying, "To hell with you guys," and he wasn't quite ready to retire. The Legislature said they were going to correct the mistake but never did.

They also eliminated two associate commissioners, my speech writer, I can't remember what else, three assistant commissioners—something like that. Oh, my chauffeur was also eliminated. On top of that, they always thought we were top-heavy with titles and always thought a certain number of bureau chiefs and directors of divisions had to go. Well, we made a deal with the Legislature and the director of the budget and put some of the people into different titles.

That was one of the saddest moments I ever had. I brought my Cabinet and top people together and I apologized to them. "I simply can't compromise," I told them. "And we'll do what we can to save people and jobs. Those that we have to fire, we'll be as compassionate with as possible, giving them lead time." Every one of the top people we fired I called in personally, and I said, "I'm sorry that the department has to suffer because of my personal views," primarily on racial integration.

Q: How many people did you actually lose from the department after it was all over?

NYQUIST: Not as many as the final budget said. You know, you rearrange federal funds and stuff. I had an ingenious assistant commissioner for management and administration. I regard the whole thing as personal retribution for my acting on desegregation in general, but triggered by a specific action in New York City. Because of all this, I invented another principle, "Liberality ceases at the point of personal political inconvenience." Does that strike home?

Q: How did you deal with the Board of Regents on desegregation?

NYQUIST: There was just no way to deal with them on this racial integration thing. That was one of those fundamental things. We once had the most liberal, sane, rational policy in the United States. We were not under the gun. The regents and the commissioners put themselves under the gun. Then we got those other regents who wanted to weaken our policy, and they did three times. It got to the point that I said I'd resign unless the board strengthened the policy, and they came back and changed it to one I could live with. But even then the decisions I made were still in question.

Q: Did the board's revisions of its policy affect the desegregation orders that a number of the larger cities in New York State were then facing?

NYQUIST: No, they didn't. They slowed things incredibly, taking years in some places. I don't think the regents' change in policy affected any decision I made, except maybe one in New York City which I'm ashamed of. As commissioner, I am a defendant in the case and the American Civil Liberties Union is arguing for metropolitan desegregation. I may have been affected by political pressure.

Federal-State Relationships

Q: I'm interested in your comments on how some federal programs have influenced what goes on in New York. We've talked a lot about desegregation. What's been your experience with ESAA, the Emergency School Assistance Act?

NYQUIST: My general impression, and you've read this in the papers, is that it really hasn't done the job for integration that was envisioned at the beginning. There is one way, though, that it affected New York. One day Sid Marland, U.S. commissioner of education, called me up and said, "Joe, how are you?" "Fine, great. How are you doing, Sid?" "Great." He said, "Joe, how would you like a million and a half dollars?" I said, "What the hell are you talking about?" He said, "Joe, we think your organization is most capable of developing some kind of a Sesame Street on racial integration and in creating racial understanding." And I said, "Yeah, I think we got the capabilities and when we need help, it is easier to get it here in New York, being what it is." And that was it. We got the million and a half bucks and the program. Vegetable Soup is really very successful—it went all over the United States and still goes on, just like Sesame Street.

Q: Let's talk a bit about Title I of the Elementary and Secondary Education Act. Back in the late '60s there was an awful lot of criticism from civil rights groups that the states were really not riding herd on the locals. Was that criticism made in New York?

NYQUIST: Early on. I didn't get it later. Two problems with Title I stick in my mind. We had a group of ministers, largely black, who staged a sit-in at my office in New York City on Title I. Local groups were much concerned about local control outside the central board of New York City. So we had a lot of protests and groups who were concerned, justifiably, about Title I and wanting to have some influence.

The second big problem we had, and again largely in New York City, was with Roman Catholic school people who were complaining that they were not getting their just proportion of Title I funds. I went down and met with the whole board—the superintendent of schools was there and I saw several important clergy and educators from the Roman Catholic Church. We went over the allocation issues and the chairman of the New York City board said, "Well, Commissioner, we'll certainly give these proposals for better allocation some thought." And I banged the table and said, "Mr. So and So"—I can't remember his name—"I'm here to tell you that you've got to do them, and you have no choice." They did

them, but it was one of those reluctant agreements that never fully satisfied the spirit of the legislation or the proposals.

Q: How did you handle relationships with Washington?

NYQUIST: Every year we developed our own federal brochure on how we felt about existing or proposed legislation, and then inserted a few ideas of our own. And we had Al MacKinnon, a very able legislative liaison, who spent half his time in Washington and half in Albany. We also had another full-time person in our Washington office. That way there was daily involvement with legislation and with members of Congress, and I would be called down to testify many times.

We had close relationships with the education people in our delegation. One time I led a group from the state that included state library association representatives, Al Shanker, and four or five other people representing big groups. We went down about elementary and secondary appropriations. I took the group in to see several legislators in our delegation, especially Republicans who might be against this appropriation—even, so help me god, Jim Buckley. He said, "I'm going to vote against this," and I said, "On what basis?" He tells me, and I said, "Do you know you've got the wrong figures from the White House?" and he says, "What?" and I said, "Yup." He said, "Could you document that for me?" and I said, "Well, I just happen to have a little documentation right here." He checks it out and he voted for that legislation. And the whole delegation, except two, voted to override President Nixon's veto of the HEW budget.

Q: How effective do you think the Council of Chief State School Officers has been in Washington in presenting a state point of view?

NYQUIST: I first got involved with the chiefs in 1957—I usually went down to meetings for Jim. I didn't think they were effective at all to begin with—they were terribly conservative. When they flew into Washington, the planes carrying them had two right wings—that's how conservative they were. Then some new chiefs began to come in, and began to challenge some of the traditional things the chiefs' organization stood for. Then I think they began to have more influence, but I don't think they are as influential as they could be still.

Q: What would you recommend to make them more influential?

NYQUIST: The chief's organization should be in the corridors of power in Washington. I would have that as a first priority. The second move would be to be much more aggressive in personal contact with individual congressmen and do the things you do in Washington.

Q: I want you to stand back from the federal scene a bit, and comment on what you see as the current state of things between Washington and the states.

NYQUIST: I gave a speech for some national public administration group last year. I called it, "The States and the Manna from Uncle," and I talked about the federal government. I think it is inevitable that the federal government will become even more prominent than it is. Sometimes I wonder if they are a junior partner. Despite all the protest against increased government and the impersonality of it, I don't see any diminution in the importance of the federal government. And I'm against having a single Department of Education. It would persist in increasing the role and the importance of the federal government in education vis-a-vis localities and states. I just see an exponential increase in the power of the feds in education and heading in the direction of European systems, which I just don't go for. The federal government is where the money is and unfortunately you know the new Golden Rule: "He who has the gold makes the rule." They call the shots and you get those junior grade imperialists down there in the bureaucracies, and increasingly those damn regulations that are more and more influential in shaping the way things go.

Q: The problem with the handicapped statute, PL 94-142, is not the regulations but the law itself. How do you change Congress' mind about legislating in infinite detail for 16,000 school districts?

NYQUIST: I don't know. You know in CETA, the state education departments aren't all that prominent—CETA's up to $11 billion now with tremendous potential for education. I don't know how you can turn it around. When you have terribly sensitive stuff, the Congress is not going to deal importantly with the state education department. You get a lot of votes by emphasizing localities and bypassing educational

bureaucracies—educators are not to be trusted at whatever level. It's not like it was in the '60s where the orientation toward education and educators was great. Gee, the political income derived from supporting education is not all that much anymore. I don't think you are going to see, during Carter's administration, a hell of a lot more than carrying out existing legislation, even though he put in a pretty good chunk this year for Title I of ESEA and financial assistance for students.

The Education Commission of the States

Q: What sort of relationship did you have, if any, with the Education Commission of the States?

NYQUIST: Jim Conant and Jim Allen were close friends, and so that while this was not Jim Allen's baby, he was right there as it was given birth. I went to the ECS meetings for him sometimes and when I became commissioner I went for myself. During the first ten years, I gave two out of the first ten keynote addresses, and I was on their executive committee. So I was very much involved in the thing. My own feelings about the Education Commission of the States is that it hasn't amounted to a hell of a lot. As far as I am concerned they have to do two things to make that organization effective. One, they have to move to Washington, where the power is, and get involved somehow. The other thing is to get a president of the organization, who is always a governor, from something other than a little state that doesn't amount to much. Until they do that, ECS won't have stature and standing.

Job Satisfactions

Q: Joe, let's talk about some of those things you are known for and that gave you a sense of satisfaction. Where did you get that idea for "college without walls?"

NYQUIST: I have to go back to my college education at the University of Chicago. I came in 1932—Robert Hutchins' second guinea pig class. The new system was general education, which was ahead of its time, with a core curriculum. For your freshman and sophomore years, you took seven six-hour examinations in humanities, English, biology and so on. You didn't have to

go to class, and if you passed the exams you were a junior. Early in my career there, I worked 35 hours a week and played Big Ten football—there wasn't much time for class. I was not all that bright, and I didn't get brilliant grades, but good enough. For the last two years, you didn't have to go to class either—you took an eight-hour baccalaureate examination. If you passed that, bang, you got your bachelor's degree. Well, that kind of experience was influential. That was the only type of education I knew as an undergraduate.

When I came to the state Education Department I quickly got used to the idea that the regents could make laws and grant degrees. And I can remember when I was assistant commissioner, that Sarah Gibson Blanding of Vassar came up after the war and said, "We'd like to educate male veterans, but we don't want to monkey around with our charter because we only want to do it temporarily." Under Vassar's charter, they could only legally educate women. We replied, "That's easy. You educate them and the regents will give them a degree." Thus, we solved the problem. Then in the early '60s we got some money to develop college proficiency exams in all the basic freshman and sophomore courses, and if you pass them you can get credit all across the country.

Well, when I became commissioner, the idea jelled from all these experiences. One day before I was inaugurated—they call it a coronation in New York—a regent called me up and said, "What are you going to talk about?" This was June and the inauguration was in September—and I said, "It could be a lot of things, and I'm not sure yet." And he says, "Keep it short and surprise the hell out of them." I thought about that and said to myself, "Why don't I spring the regents' external degree idea?" So in my inaugural address of 15 minutes, I said my one goal as commissioner was to make the educational system more humanistic. I outlined what I meant and then capped it by saying we ought to give degrees to people no matter where they learned or how and when they learned it. You didn't need to go to college at all to get a degree. And that was it. Well, I surprised the hell out of them, and except for one regent, they weren't too violent. The regents just thought this proposal was great, and they just loved the annual commencement idea, handing out those diplomas. They like pomp to accompany their circumstances quite a bit. That was a kind of byproduct.

Q: Hasn't one of the most interesting applications come in the prisons?

NYQUIST: That's right. At one graduation ceremony, there were seven prisoners from one of our toughest prisons, all under guard. I took a picture with each of them and then collectively, and they were just fun to talk to. I'll tell you, my picture is on the wall up there somewhere in several cells. One fellow had murdered someone when he was about 17; he was then only about 35. As a result of his graduation, he got a job in the state's Corrections Department. That couldn't have happened without the external degree idea.

Q: Joe, could you talk a little bit about some of the other satisfying things that you were involved with?

NYQUIST: Working with students. I had a student advisory group and the best group was the year I left. I got those kids in college. They wrote to me as commissioner and afterwards. And I called them up. There's a freshman at Penn State. I lectured there last fall, looked her up and fed her for the first time. I got very attached to them and some of them to me. Each year they picked a topic and the last three years they developed a paper and then we called in the press. The last year the media was so impressed that they picked two of the most articulate kids and had a program for them. I think I was much more liberal than they were. We had a lot of fun.

Q: How about the Boards of Cooperative Educational Service?

NYQUIST: One of the things I'm proudest of was the development of BOCES, the regionalization of education in many respects—Jim Allen and I laid the base for it before I became commissioner. There are 41 or 42 BOCES now. They were able to develop programs for the handicapped and vocational education and, among other things, they became business management centers for local school districts. For example, every school district wanted its own computer. There was no sense in that, so we encouraged the centralization of computer services.

For several years we tried to give BOCES the authority to build buildings for vocational education and then about the third year, we thought we had solved all the problems and had everything cinched. God, Rocky vetoes it! Jim Allen calls him

up and gets him out of the bathroom—really; I guess he was taking a shower. Out he comes and answers the phone and Jim Allen really gave him hell. Rocky felt terrible. The next year it passed.

Q: What else are you proud of?

NYQUIST: The emphasis I've given long before Title IX to women, their equality. I once made a famous statement that was posted all over—Harvard here, the Ford Foundation, all over the country—"Equality is not when a female Einstein gets promoted to assistant professor. Equality is when a female schlemiel moves ahead as fast as a male schlemiel." That hits it on the nose. There are some pretty lousy, incompetent people in education. Men get moved along quickly enough, but a good woman has a hard time moving ahead. So there you are. Well, I think that had an effect.

Q: What other kinds of accomplishments would you like to talk about?

NYQUIST: You try to fulfill certain objectives in life. One of mine was to make school systems more humane and democratic and really living up to the point that the individual is still the basic unit of the human condition. I know it sounds kind of corny—I had a religious upbringing—but the greatest truth in human relationships is the true version of the golden rule: "Do unto others as you would have them do unto you." And another bit of philosophy that I enunciated earlier is that a universal system of education is ultimately tested at its margins. Historically, we have been pretty sloppy with the handicapped, but I think that I've done a lot for them. I made one quasi-judicial decision that affected 12,000 handicapped kids in New York City who were not getting an education. The decision cost the city about 30 million bucks in one fell swoop.

Disappointments

Q: What about some of the disappointments?

NYQUIST: About a week before I became commissioner, I was interviewed by the Board of Regents about what I saw as the function of the commissioner. After I outlined a few things, I can remember Steve Bailey saying, "What about moral leadership,

Joe?" I said, "Yes." You see, all moral authority is founded on justice, and to have morals is to distinguish between right and wrong. The reason I emphasize these things is that trying to apply them conscientiously and sincerely led to falling short in execution sometimes. One of my biggest disappointments is the whole field of racial integration, not being able to do more.

A second disappointment was my inability for whatever reason to relate to the Carey administration. I don't have great political skills, but Carey was inaccessible, had inexcusable ways of doing things, and had several inexcusable state agency heads who were very difficult to work with.

I don't know if you want to talk about frustrations, but the civil service would be one. I can be philosophical, but I'm an activist in trying to get things done. Trying to get things moving is very difficult when you have a constipated civil service system. It's very, very difficult.

Training to be a Chief

Q: What's the best training to be a chief? What's your advice to budding young administrators?

NYQUIST: This is going to be very difficult for me to answer because I never taught a class in my life or took an education course. But I've never found it a handicap. There are a lot of things you can learn without having done them. Humility in areas where you are ignorant also helps. So I'm not sure how to advise you, except that I would prefer someone who is liberally grounded rather than one who came through the teacher education/graduate school of education ladder completely. I think to get grounded in a discipline is an important base. I once asked my top 40 or 50 guys where they went as undergraduates and overwhelmingly they were liberally educated.

Q: What do you think that the Ford Foundation, the U.S. Office of Education or, say, the Harvard Graduate School of Education could do to strengthen the capacity of you and other chiefs to deal with the problems you face?

NYQUIST: I wish there were a way to give commissioners, if they last long enough, a kind of sabbatical to revitalize themselves. You

know if you have any power at all as a commissioner, you're criticized every day. It's pretty tough to absorb that over a long period without getting tired or calloused.

Q: I had to resign in order to come here and I'm sure the governor would not have given me a six months' leave of absence.

NYQUIST: I know it's a problem. The U.S. Office of Education has subsidized week-long seminars for chiefs during the last several years. I think some of these programs are good. So monies for self-renewal purposes are important. We do it for teachers and administrators elsewhere.

On Being Fired

Q: I take it if you had to do it all over again, you would?

NYQUIST: Yeah. I sometimes think I've always been pretty impatient with stupidity and mediocrity, and I think my impatience showed with the regents. Those eight who voted against me were mediocre, and they took their revenge. I should have had more patience with them. But I left the job the same way I entered it: fired with enthusiasm. I wish I had had better political skills. I would have lost something else, though.

Q: I'm not sure it is easy to have both. People who have the kind of enthusiasm and zeal to move and improve the system tend to be "damn the torpedoes, full speed ahead" kinds of people. And the people with the political skills tend not to have as strong convictions. I don't think it's impossible to have the two, but it's tough.

NYQUIST: Whenever I speak to an audience of college presidents, I always congratulate them for being able to make compromises for a living. I couldn't do that. I simply couldn't—and that's politics.

Q: Could you give your version of how you got fired?

NYQUIST: This wasn't a sudden development. There had been a gradual alienation or disaffection of some of the regents for one reason or another. Then this guy John Dyson, who works for Carey, triggered the regents' move to fire me. He publicly criticized the state Education Department as the last kingdom left in the United States and I was the last king, and education cost too

damn much. That was in September of 1976, and at the next board meeting one regent—I found out later—almost brought up a written proposal to fire me, but some of the regents wanted time to develop strategy.

So at the October meeting, very quietly, William Jovanovich, a very successful businessman who is top man in Harcourt, Brace, Jovanovich, proposed in a letter that I be given a year's paid leave of absence to do some research in education and that I resign at the end of that year. This strategy would save face all around and cause no fuss. This blew in *The New York Times* after the October meeting. I would not have known about it had not Len Buder, a damn good reporter and good friend, called the chancellor for corroboration of some facts and told the chancellor, "You'd better call Joe Nyquist and tell him that the story is going to break tomorrow." Ted Black called me immediately. Well, this proposition to save face—I think you know enough about me now to know I wasn't about to bow out that way. I had done nothing wrong. There were some things, yes, but I think they were trivial.

Q: They had a list of 78 charges that apparently had been drawn up.

NYQUIST: Each of the regents had some charge, but the 78 or whatever were largely the work, I think, of one fellow still on the board. Some of the charges were absolutely untrue, and then there were some things that were true but trivial. Let me give you an example. One of the charges was that I had criticized the President of the United States. Well, I made fun of Nixon and Ford, but who didn't? You know, Gerald Ford once got up on the floor of the House of Representatives and said, "If Abraham Lincoln were alive today, he would turn over in his grave." I used to say I played football against him and that's why he said such dumb things. These things showed up on the list of charges. If I'd raped one of the regents or taken bribes or done some other damn thing, okay—I would have deserved what I got.

Q: Do you think, given the 8-to-7 vote on your dismissal, that something could have been done if you had really wanted to stay on?

NYQUIST: A lot of people tried. I was with the chancellor the other day and he said, "One of the things I will always regret in my life

was not being able to swing that one vote." I did not do anything on my own behalf. They were going to have to take me as I was. I found myself not really caring toward the last several months. It was kind of a relief.

But I worked as hard as I ever did, right up to the end. I could have quit at the Friday massacre in November of 1976 where the decision was made to fire me as of June 30, 1977, but then I stayed on until the following June because my supporters didn't want me to quit. The staff came to me and flattered me, saying, "The place is going to be unstable and we need leadership here until the regents get another person." And I said, "Okay."

I'd never been bored in my life and I loved the work as commissioner, and I never came to the point of saying to myself, "Get out of this job." But when you think of relinquishing responsibility, the complexities you work with, and the criticism that you take, especially in the climate you have now, it was a relief to think of going. I wasn't going to stay on past 65, 66 anyhow, so it was no big loss.

Q: There are some people who think that because you were the first commissioner to be fired that this did some damage to the regents as an independent and revered institution.

NYQUIST: They lost stature, yes, that's true. I don't think there's any doubt about it. I keep defending the regents as a concept of governance, but the trouble is the people who man it. I think it is a good system.

Q: Joe, I take it that in spite of the problems at the end and what you've described as the increasing headaches of this job, that in retrospect you're not sorry that you spent so many years in the New York department, and the last eight of them as the commissioner?

NYQUIST: No, I don't regret it at all. I am reminded of what Robert Hutchins said one time about the University of Chicago. It's not a good university; it's just the best there is. That is the way I feel about the New York State Education Department during the long period of 26 years that I was there.

II

Jack P. Nix, Georgia State Superintendent of Schools, 1966-1977

Teacher Works His Way Up

QUESTIONER: How did you become a chief state school officer?

NIX: When I finished high school in '38 I had no desire to go to college and stayed out for two and a half years. Then, I decided that I was never going to amount to very much unless I received more education. I enrolled in the University of Georgia and finished in '43. It had been my sole objective to be a teacher of vocational agriculture, and I was fortunate enough to teach one year before entering the Army for almost three years as an infantry officer. On returning, I still had this ambition, and for ten years I was a classroom teacher in Banks County. I then decided there were some things that ought to be done in that small school system, and that I might be able to make them happen if I were elected county superintendent. In Georgia, about 119 out of 159 counties, I believe, have elected superintendents. No one announced against me—I don't think they wanted the job—so I became the county superintendent.

After I served in that position for almost three years, the state superintendent, Dr. Claude Purcell, asked me to come to Atlanta to head teacher certification. I felt like I had done about all I could do in that small county. We had just completed a new high school and floated their first bond issue to build a

gymnatorium—that's a gymnasium and an auditorium all in one. I took the job and ten months later Dr. Purcell, along with the chairman of the state board, came to me and said, "We'd like you to be director of vocational-technical education for the state and build a network of area vocational-technical schools." I really did not want to move, to be honest, because I had just learned my job as supervisor of certification. I was happy with it, even though it wasn't a very high-paying job. Finally, after about three months, I agreed to work wherever they assigned me, and I took over as director for vocational education for five and a half years. During that time I had a great deal of contact with people in industry and business, and with members of the Legislature. I was also asked by a number of politicians to run for state superintendent at the end of Dr. Purcell's tenure. I indicated to them that I would be interested some day, but I would never run against my superior. Well, Dr. Purcell came in one day and said, "I'd like you to have dinner with me tonight." This was in December of '65.

Q: This was in the middle of one of his terms?

NIX: Yes. We went over to one of the restaurants, had a martini or two and all of a sudden he said to me, "Jack, I'm going to quit," and I said, "Dr. Purcell, you must be kidding." He said, "No, they've beat me over the head long enough." You know, people in that position get beaten over the head. "I'm 60 years old," he said. "I have my retirement built up; my wife has money, and we have enough to live on the rest of our lives; we have no children, and I'm going to quit. So tomorrow I'm going to tell Governor Sanders that if he appoints you to take my place for the unexpired term, I'm going to resign." Just out of the clear blue. The next afternoon, almost at four o'clock, my secretary buzzed me and said, "Governor Sanders." I picked up the phone and said, "Yes, Governor?" He said, "Jack, could you come over here for a few minutes?" "Yes, when?" He said, "Right now, immediately." I went over there and, unlike previous times going to the governor's office, the people just parted and his top staff ushered me into the governor's office. He said, "Sit down." He was a very business-like, good governor. He said, "Jack, do you want to be state superintendent of schools?" I said, "Governor, I had planned to run for the office in four years because I think Dr. Purcell plans to retire in four years." He said, "He's going to retire now. If you

want the job, you can have it." I said, "Governor, if you'll help me, I'll do the best I can." And that's how I became state superintendent of schools in Georgia.

Q: Did you have any discussion with the governor then about what policies he wanted to see you follow, or did he pretty much leave that to you?

NIX: I doubt seriously if I was in his office more than five minutes. At one point, he did say, "Jack, I don't want you to say anything about this till I announce it and I want you to remember one other thing, and that is you've got to run for this office next summer." Of course, he knew me and my relationship with the Legislature and local school people, and knew that I would work with him during the remainder of his term.

An Elected Chief?

Q: When academicians classify the various states by the method used to select the chief state school officer, Georgia gets classified as an elective chief and, of course, technically that's what it is. But what you're telling me is that in many ways it's a hybrid.

NIX: Well, it depends. Under the Constitution of the State of Georgia, any time there is a vacancy in a constitutional officer's position, the governor has the responsibility and the authority to appoint a replacement until the next general election, and that was the situation. Dr. Purcell had a year left of his unexpired term and the governor was appointing me for one year. Then I had to get elected on my own.

Q: Has there ever been criticism of that system, Jack? I can see somebody saying that what you're really doing is thwarting the will of the electorate. You're appointing somebody who can run as the incumbent chief, which you obviously did. Did you have any opposition?

NIX: No, I don't think anyone would have had that job in '66. I didn't have any opposition at that time or the next time that I ran four years later. In '74 I had an opponent, but I took every county in the state.

Q: But Dr. Purcell, your predecessor, hadn't he been appointed also?

NIX: Under the same conditions. Dr. M.D. Collins, the former state superintendent, resigned one year before the end of his last term, and Dr. Purcell was in office and had to run the first year he was in. He never had any opposition. Dr. Collins was elected in '33 and did not have opposition until '43, and then there was no other opposition until '74.

Q: It's an amazing system, and different from the one the textbooks talk about. For instance, Wilson Riles in California is an elected chief, but he has regular partisan opposition and runs a campaign that's very much like the gubernatorial one.

NIX: In Kentucky, you can't even succeed yourself. You can serve four years as the state superintendent, and then you've got to drop out for four years.

Q: Is it a good idea to have chiefs elected?

NIX: I remember when Governor Jimmy Carter wanted to move from an elected state superintendent to an appointed one. The news people asked me what I thought, and I said then I did not believe the people of the state of Georgia would vote to deny themselves the right to vote. And if the state superintendent were to be appointed that he should be appointed by a state Board of Education that was elected by popular vote, because public education was too important not to let the people have a chance to vote on it at some point. It didn't make a lot of difference, as far as I was personally concerned, whether I was elected or appointed if the state board was elected, but I did not believe the governor was going to give up the privilege and the prestige of appointing state board members. I still think the chief or the board needs to be elected by the people, because public education in most states is the biggest public business they have.

As the elected superintendent, however, I could stand before the joint appropriations committee and answer their questions without any fear of the governor or the state board or anyone else, because I got my job just like the representative or the senator. I was free to say what I wanted. Had I been appointed by the governor and some member of the Legislature had said, "Look, I think we ought to raise teachers' salaries more than 8 percent. I'd like to go to 10 percent. Why didn't you recommend it? Will you support it?"—if I'm the governor's

man, then I've got to vacillate or play footsy with the Legislature or come out and really embarrass public education by saying, "No, I don't want that money." One year I picked up $35 million that Governor Carter had not recommended in teachers' salaries. He wasn't very happy about it, but had I been his man, I couldn't have done it.

Priorities

Q: Jack, when you took over in early '66, what did you want to do with the state department?

NIX: During my first 30 to 60 days in office, I prepared a list of 15 items that I wanted to accomplish and they became, you might say, my platform for a campaign that year. I had on the list such things as establishing a statewide public kindergarten program, and establishing comprehensive high schools for the state.

Q: Were any of those goals controversial?

NIX: Oh, one of the most controversial—and it still is controversial, perhaps all over the country—is the goal of consolidating school districts, to have local school systems of sufficient size that could justify an efficient economical operation. At one time I even drew up a map of the state and how the school systems ought to be put together. I had a goal of 54 school systems, down from almost 200, and I had drawn that pretty well around our senatorial district lines, after we had redistricted. It will be a long time getting around to that but, by all means, there still is a need for further consolidation in Georgia. Formal consolidation requires constitutional changes and referendums, so we are only down to 187 school systems now.

Managing the Department

Q: I want to ask you about internal management, because the Georgia department, like others, has grown over the last 15 years or so and it has much broader responsibilities. To start, did you have a particular management style?

NIX: That brings back a lot of memories about Mr. Jim Peters, who was chairman of our state Board of Education, and what he

advised me to do. I had worked very closely with Mr. Peters while I was state director of vocational education, because his real love was vocational education. He was one of the most respected people. After briefly teaching school, he became a banker, and from there, he owned peach orchards, fertilizer plants, the telephone system, and several banks. He was a self-made multi-millionaire. He was also chairman of the Democratic Party, and a personal friend of Franklin Roosevelt—living in the county where Warm Springs happened to be. He was on the state Board of Education for about 20 years and on the state Board of Regents, which governs higher education, prior to that time. When he went off the board, as chairman, I believe he was 85 or 86. Mr. Peters was, in my judgment, one of the finest people I've ever known. Next to my dad, I'd say he's the finest.

When I went in office, he came up one day during my first week and said, "Jack, I've written you a letter." In it, Mr. Peters listed 11 things that I should do. One of the first things he said, "Dress and act like a state superintendent." I kept that with me in my desk and would pull it out and read it periodically. "Make yourself available to your staff." "Be conscious of local system superintendents' needs." You know, a number of those kind of things. So, as I looked at my internal operation, I tried to base it on Mr. Peters' advice, and how I felt I would like to have been treated had I been reporting to the superintendent, and like Dr. Purcell had treated me.

Q: During your almost 12 years as superintendent, did you make any major changes in the way the department was organized?

NIX: Well, a lot of people when they take on a new job of managing other people—and you know managing people is the most difficult job that you can have—will go in with a gung-ho attitude and want to shake everything up immediately. In my judgment that's wrong. Even if you've been a part of the organization and think you know all the answers, it doesn't always look the same when the responsibility is on your shoulders. Mr. Peters cautioned me, "Jack, know your department before you start making any changes." Yes, I reorganized the department substantially. I established an office for vocational-technical education, one for affirmative action and

civil rights, and I also developed a division of planning, research and evaluation. But I didn't do this all overnight.

Q: On managing people, did you have a policy that anybody on your staff could come and see you?

NIX: When I first went into office I had about 2,000 employees, until vocational rehabilitation was transferred to a new agency on human resources. I think we had about 1,500 when I left office. But if a staff member carried the mail up and down the halls—regardless of what they did—they could come and see me. I publicly explained this and put it in communications: If you have a problem that you cannot get solved with your supervisor or the personnel office, all you have to do is call my secretary. I may not see you that day, but I'll see you and I'll listen.

Q: Did you ever have any complaints from people who were in the chain of command?

NIX: They would complain, but I found that there were some things that staff members would not tell their supervisors that they would tell me. Not always, but many times. Most of the time when these people would come to me, after I listened to their problems, I'd advise them to go back to their immediate superior, and start again and just tell them that I knew of the problem. I wanted them to see if they could work it out and find some satisfactory solution. Most of the time, it would get worked out, if it was a reasonable concern. I guess in management that's one thing I tried to get across.

Q: I understand you had difficulty firing people?

NIX: I did. I fired a high school teacher once when I was county superintendent. You know, it's awfully hard to fire a lady when you have another breadwinner in the family, but it was extremely difficult for me to fire somebody who was the sole breadwinner in the family. I fired a few, but not very many, to be very honest with you. When I felt someone was doing something illegal, they were gone. I didn't tolerate that. I also demoted a few people. I'd suspect that most of the staff down there would say I was a little bit soft hearted.

Q: Along that line, I'm wondering what kinds of incentives you used to inspire people to do a good job.

NIX: In working with adults you can use basically the same principle you use in working with youngsters, because adults are just grown-up children. If they feel like someone appreciates what they're doing—they're getting a little personal credit—not many won't respond positively. I tried to find something they were doing that was worth commenting on, and I tried as directly as I could to push them into situations where I could try them out to see if they would perform. On occasion, I would take a fellow who was perhaps doing a rather lax job and put him in charge of an activity, make him a chief honcho, where his lack of work would stand out like a sore thumb. He'd have to produce or he'd be personally embarrassed, and I used a lot of different little techniques like that. On occasion, I guess, I'd chew them out verbally or I'd call them into my office and say, "Now look, you're just not cutting it. You're not going to leave me much choice, unless you change your direction." The office heads, they were closer to the workers than I was, I'd ask them to give a little closer supervision. But all in all, we had a pretty good Department of Education.

Q: How did you solve the problem, Jack, that always plagued me—weighing the relative merits of promotions from within the department as opposed to bringing in somebody from outside?

NIX: Early in my tenure, I let the staff know that if we had vacancies, my first concern would be in trying to promote someone from within, and I did an awful lot of that. That to me is almost necessary in any substantial organization. I also brought in a few top people from out in the systems to stop inbreeding and bring in new ideas, I think that was a good thing, too.

On Hiring Staff

Q: There is a good deal of criticism of state departments of education, and I wouldn't exempt Georgia, that points to their alleged stodginess in personnel policies—that they have not hired women and minorities as rapidly as they might have. What's your perspective on this?

NIX: Well, I suspect the criticism is valid, not only of Georgia, but of most states and most local school systems. We do have some blacks who are local superintendents in our state, both

appointed and elected. As far as the state department staff is concerned, we had a number of blacks employed when I joined the department in 1959. I employed a number of others after I became superintendent. Part of the problem of getting high-level positions filled with blacks or women is finding people who have had experience in local systems doing the things that you want them to do as a state employee in working with local systems. And I learned early in the game that if you employ someone that the local system doesn't respect, you don't get much accomplished. I was able to get one black person to take a director's job right before I left office. Also, I employed an assistant superintendent who was black, and they have since promoted him, a very fine educator. It wasn't that I had to wait for dollars or desire to employ. My problem was finding people with the competency that I felt I needed in those particular high-level jobs and who would take the jobs. If you find a good black, man or woman, who is very competent and can produce, the opportunities for that person are almost unlimited.

Q: I suppose you would have a good deal of trouble, for example, hiring people away from the Atlanta school system, wouldn't you?

NIX: Numbers of them refused to come to the Department of Education. In fact, four years ago, I got down to the ninth selection before I could fill one supervisory position. I'd gone through eight other people before I finally got one who would take it. The reason—salary.

Q: What about the civil service? How did it work?

NIX: I'm a real believer in civil service or merit systems for professionals. It's good for those working for you to have, in the back of their minds, the idea, "My job is secure as far as politics is concerned; all I have to do to keep my job is to do my job, and if I do a decent job, I'm not going to get fired." That is sound philosophy.

Q: How many people in your department were outside the merit system?

NIX: Other than my deputy, Dr. Joe Edwards, I don't think that we had any full-time people, at that time, out from under the merit system. In fact, I put more office heads under the merit system. Now, Dr. Charles McDaniel, my successor, has taken all

the office heads out from under the merit system, and he is taking the division directors out.

Q: Did you find the merit system constraining?

NIX: Yes, but I could fire any office head that I had if I really wanted to. I could have nit-picked enough to get the goods on him to fire him. Beyond that, the merit system should listen a little more to the agency head and why a particular person should be employed, instead of just rigidly going down a list of people who applied for the job. Also, the agency head should have the authority to establish higher salaries. My salary was set by law and this kept a lid on salaries. That's why I took Dr. Edwards, my deputy, out from under the merit system. I couldn't get his salary up. I removed him from the merit system and increased his salary above my salary. He was worth more.

Relationships with the State Board of Education

Q: Give us a little background on your state Board of Education.

NIX: Under our Constitution, each of our 10 congressional districts has a board member who is selected and nominated by the governor. The Senate then confirms. The governor can appoint anyone, except practicing educational professionals and recent employees of textbook firms—Georgia has statewide adoption of textbooks. Board members serve for seven years, with about three new ones coming on the board every other year.

Q: Did the governors ever consult you about appointments?

NIX: I sought their ear, I guess. The first year I was in office, Governor Sanders had a resignation on the board. Knowing some good people, I walked across the street and said, "Governor, I would like to recommend these three people. You may have some others that you want to appoint, but if you don't and if you get one of these, we'll have a good board member." He looked the three names over and said, "One of these guys—my wife's sister knows him." This is the present chairman of the state board. He's a very good man.

When Governor Maddox was in, some of his staff would ask for suggestions, but Lester never appointed one I asked him to. When Jimmy came in—that's President Carter—I gave him

some suggestions, but he didn't appoint a single one, except to reappoint the present chairman. Governor Busbee, I gave him some names and he appointed the first black on the board.

I made up my mind, and said this to the governors, "Whoever you appoint, I'm going to try to work with them, but I want you to know that when they come on the board they are not going to be the state superintendent. I'm going to be the superintendent, and they don't have any power unless they help me as a board."

Q: How much authority does the board have?

NIX: The board is an all-powerful body, with tremendous authority under the state Constitution. It has the authority to adopt rules and regulations, *any* rules and regulations, that are not offensive to the Constitution or not already in law. The state board cannot say that we're going to have 192 or 175 school days instead of 180—that's written into law. But if they want to say that all 18 units earned in high school must be prescribed units, they can do that. Or they can determine that a person only has to have two years of college to teach school, or they have to have a doctorate.

Q: What role did the board play in your budget requests?

NIX: I involved them as much as I could because the more involvement they have in building your budget, the greater security I have in standing before the joint appropriations committee. Also, the law says the state board—not the state superintendent—shall recommend a budget to the governor, and then the governor makes recommendations to the General Assembly.

To put the budget together, we worked with a budget committee of the board in gathering the data from office heads, local systems and members of the board. We also asked the board to take a stand on big issues—support for teacher salaries, student lunches, transportation and so on down the line. Most of the internal operations of the department I would work on—and then we'd go over it all at a meeting of the full state board, going down the budget, item by item. I'd try to get the board to rank priorities, but that was a chore. Eventually, they'd come up with something I could give to the governor and the budget office.

Things had changed here. When I first went into office, it was almost like a superintendent sitting down and adding up the figures that he thought it would take to run public education and then sending the figures over to the governor. Now the superintendent and his top staff sit down with the governor and his budget officers, and we'd spend a half day going over the things. We'd argue back and forth: "I agree to take less here, if you'll put more over there," and "You may not recommend this, but I'm going to ask the Legislature to put it back in." You know, that kind of give and take. When the governor's recommendations came out, we'd decide which ones to support and which ones the board was going to try to change. Too, I'd have some of my own little pets that I would try to get, whether the board wanted them or not, when I got before the Legislature.

Most of the time I'd follow the governor before the legislative appropriations committee. He, his budget officer, and the revenue estimator would tell the Legislature what they thought the revenue was going to be, and the surplus and so forth. And then I'd follow, because my budget was the largest. Sometimes they'd quiz me two solid days from about 8:30 in the morning till four in the afternoon, except for an hour at lunch. I would always spend from Thanksgiving, every holiday and weekend I had until I appeared before the Legislature, memorizing all of the facts and figures to support the budget. I developed a notebook with tabs in it. If they wanted to know how many special education teachers were in Schley County, I could tell them in two seconds. Or if they wanted to know how many state dollars a local system was getting for transportation, I had it right there.

Q: Besides the budget, did the state board get involved in such things as the hiring of staff?

NIX: The state board would let me employ, without consulting them at all, up to a certain pay grade. At the board meetings, I would give them a list of people—names, positions and salaries—just as a matter of information. But I always took the names of possible division directors and office heads to the state board prior to putting them on the payroll. The state board and I agreed that maybe I needed a little insulation, and on occasion they would help me find "a problem" with a particular individual.

Q: Were they ever able to bring any information to your attention that caused you to think twice?

NIX: Yes. You see, board members are from congressional districts and whenever I would think of some school administrator I wanted on my staff, I would talk to that particular state board member. On occasion he would say, "Well, if I were you I'd leave him alone because he's had this kind of problem." But never did I have the state board turn me down on anyone.

Q: Did you ever have problems with board members who meddled in the day-to-day running of the department?

NIX: Some of them in the last few years, but I think that's pretty universal. You get all kinds of boards. Before I left office I sat down with two of them, and I explained to them that as individual board members they were no more than just John Q. Citizen, but as a board they were all-powerful. They had to be active as a board and not as individuals.

Q: Did they want their own staff for the board?

NIX: Right after I came into office, the idea for staff came up but it didn't go anywhere. Then about a year or maybe two years ago, the thing came up again, and I said, "I am your secretary—if you want something done, you call me. If it's a board policy or regulation or a state law, I'll do it. But if it's not, I'm not going to do it." I also told them they could hire someone but I wouldn't sign his paycheck. I said, "When I leave this office, I want to leave it clean. I don't want anyone to ever say I violated a law or that I deliberately violated a state board policy. But for you to huddle around your own staff and start actions unbeknownst to me, that won't work. We'll be in crossfire all the time."

Q: Three or four years ago, you may remember that the new executive secretary of the National Association of State Boards of Education was telling various state boards that he thought they were taking orders from the chiefs, and it was about time they asserted themselves. Did that have any repercussions with your board at all?

NIX: We had the executive secretary visit a state board meeting, and have lunch with us. I also talked to him myself several times. I told him, "I'm elected; you can do whatever you want to, but I have probably about as much influence with the Legislature as

all ten members of the state board have together." And I said, "You come down and start that kind of stuff, and other kinds of things could happen as a result."

Q: The textbook writers take a pretty dim view of state boards, saying that they are a rubber stamp for the chiefs and the world wouldn't be much different if they didn't exist. Where do you come out as you look at that board-chief relationship?

NIX: I don't think I'd want to be a chief state school officer without a board of education. I want it to be a lay board; I don't want it to be a bunch of professional educators sitting around.

Q: But the critics would say that we want it to be a lay board because it's easier to get them to do what we want them to do.

NIX: Well, sure, they'd say that, but I don't believe that the ten members of the Board of Education in my state in my 12 years could be put in that category. I'm not saying that I'm all that smart to anticipate all their thinking, but when you get two or three members of the board who are good lawyers, two or three bankers who know something about finance, and two or three just parents or just plain private business people, they come up with some pretty dad-blamed good ideas. Many times they've changed my mind about decisions that I had in the back of my head.

Working With Four Governors

Q: You have had the unique experience of serving four governors. Say a word or two about your relationship with each of them, because I assume they were quite different in some ways.

NIX: Because all four were different individuals, I worked somewhat differently with each of them. To start, Governor Sanders was a man of few words and quick to make a decision and stick with it. You knew where you stood with him when you left his office. It would always be that way, unless he called you back and told you differently. Let me give you an idea of the way he operated. Several of us had decided that we needed to get local school systems to share some services in order to save money. I set up an appointment with Governor Sanders and two of us went over, sat down around the governor's desk, and I told him, "Governor, we'd like to have a hundred thousand dollars

in this next appropriation." He said, "What for?" We explained our plan and he quizzed us on it, I'd guess five minutes, and then he said, "All right, go ahead." Well, at that time, the governor pretty well determined where state money was spent. Since that time the Legislature has gotten a little more involved. The $100,000 was in the next appropriation.

Then Governor Maddox came along. Right at the beginning of his term he attended a meeting of the building authority and voted against a resolution of mine to consolidate some small rural schools. This bothered me a great deal, and I decided to try to do something to protect myself for the next four years. I quickly drafted a letter that afternoon and had it hand-delivered to the governor, indicating that I was sorry that we had to disagree so early in his administration, but I did look forward to working with him, and I hoped he would help me improve public education. Well, before the day was out, I had a response—hand-delivered. It said, "Dear Superintendent Nix: We can always disagree without being disagreeable." From that point on, the only time Governor Maddox and I really had any disagreement was over the desegregation business.

Q: Did he ever pressure you on that?

NIX: He never asked me personally to do or not to do something. But he would hold his news conferences, and the newspeople would quiz him about what should be done. When the U.S. attorney general brought suit against us, the newspeople asked Governor Maddox, "What do you have to say about it?" He said, "The school teachers ought not to teach, and the students ought to let the air out of the bus tires." Well, naturally, the newspeople came across the street and said, "What have you got to say? The Governor said so-and-so." I indicated that it was the law of the land; I didn't think it was right; I didn't think it was fair, but since it was the law we were going to obey the law. Governor Maddox was easy to work with.

Q: What about the man who's now the president of the United States?

NIX: Governor Carter was one of the few politicians that I helped get elected with my own personal money. I contributed to both his campaigns for governor, and I worked with him when he was in the state Senate.

He was different to work with because he did not depend upon the agency heads for his information. Quite often, his own staff would gather the information that would sell him on an idea. We started in the '60s building staff for the governor. To be honest with you, I think a lot of it is a waste of money, both in the governor's office and in the Legislature. Anyhow, Carter had in his budget bureau what he called planners, one for education, one for natural resources, and so forth, and these people would advise him. It finally got to the point where I would not even let his men come in my office. I told them I wouldn't talk with them anymore, and I told Governor Busbee the same thing. If he needed any information about education, I'd give it to him, but not to send anybody from over there for it.

Governor Carter is a very intelligent individual, but he has a tremendous ego. I don't want to unduly criticize him, but he just will not listen enough to those who are responsible for a particular operation. He wants to make the decisions himself, or he tended to do this as governor. He wanted to make the decision about education, then have me and the Legislature accept them, and it would be his program. One time, he wanted to revise the minimum foundation law for funding the schools, and we disagreed. My staff and I had drafted a piece of legislation and handed it to the chairmen of the education committees of the House and Senate. They had the governor's draft, and they had my draft. We got into a real big fuss in committee meetings on it. Finally the chairmen came to me and said, "Jack, this is a valid concern, and we ought not put it into the law, but how are we going to get out of it with the governor's office?" I went back across the street, got a couple of my staff, and we drafted a resolution establishing a study commission, and carried it over there. They introduced it and that stopped the whole cotton pickin' business for that year. The next year when it came up, we were able to compromise, and we rewrote the whole law. What had happened when the governor drafted his law was that he did not consult me.

Another time when he was governor he would not support me on an increase in teachers' salaries. I testified before the Legislature that we needed the raise, and why and how much I wanted. We finally worked it out and got $35 million. I received a letter from him—I still have it—where he criticized

me for not caring about public school children in Georgia. He said the money was going to be spent and wasted in the name of education, but it wasn't going to help the students. He was calling on me as superintendent to help get the Legislature straightened out in conference committee. I wrote him a note back—my staff wanted me to be real nasty, but I tried not to be—and told him I had been superintendent about nine years, that the people in the state of Georgia knew what I stood for and that I had too much respect for the governor's office to even make comments about his statements. So, that was the end of that. But he was a little difficult to work with.

Q: Can you say something about your relations with the fourth governor?

NIX: Governor Busbee is one of the sharpest individuals I've ever worked with in terms of understanding legislation. On numerous occasions I'd sit down with him and say, "Now, Governor, this one should not go through," or "This one should go through." I guess Busbee and I got along as well as any of them. He would call me and ask me to do things, and I'd do my best to do them, if they made sense. I think Governor Busbee knew state government as well as any person with whom I've ever worked. He could almost describe the things that were going on in education in Georgia as well as I could, and pretty well tell you what they were costing. He could do the same thing in the commissioner of agriculture's office, with different programs.

Q: You're making an argument that it's useful to have people who have some familiarity with the system.

NIX: By all means. Otherwise, you've got to go through a process of educating them, and sometimes you can educate a governor and sometimes you can't.

Dealing With the Legislature

Q: Everything we've heard suggests that you were usually successful in your dealings with the Legislature. Do you think that's true and, if so, what's the secret?

NIX: Let me say this: working with the Legislature is just that—you've got to work at it. I would not say that I was outstand-

ingly successful, but we did have some successes. And this wasn't easy to come by. I did have the advantage, prior to being superintendent, of working as a liaison from the department to the General Assembly. We had developed a rather elaborate way of communicating with the Legislature while I was director of vocational education. One year, we had 40 meetings scheduled throughout the state in early fall. We developed a slide presentation and I would emcee it. It took 20 minutes—I wouldn't take more than that because those were busy people. We'd rehearse it, just like getting ready for some kind of movie, tape it, listen to it, come back and refine it, to where I knew I could do it in 20 minutes. The members of the vocational association in that particular area would take responsibility for seeing that certain members of the Legislature would be there that night for a steak dinner. And the local vocational people financed it. They'd bring—they wouldn't ask them to come—they'd bring the members of the House and the Senate, and with 40 meetings we didn't have too many people in any one location. We'd feed them the steak, I'd make my presentation; then we'd stay there as long as any of them would ask questions, and that was the end of the meeting. So I wasn't exactly new to the Legislature when I became superintendent.

Q: What did you do to grease the wheels for your legislative programs and your appropriations?

NIX: We tried to build credibility with the Legislature. We tried to be honest with them and give them factual information. I approached it by asking myself if I were in the Legislature, coming to Atlanta, how would I want the Department of Education to work with me? We would sit around and brainstorm about what they would try to pull on us and we would pull on them, and how we could best keep pleasant relations.

We also tried to give them credit. I used to go all over the state making talks to different groups, particularly during election years. Members of the House or Senate would be at the meetings. I'd always find something that that member had done to help education and, before his constituents, brag on him a little bit. You could almost count on his vote next go-round.

I also would get local superintendents and local boards to work with a particular legislator to understand a particular problem.

If someone was apparently going to vote against what we were trying to do, I would try to get the local superintendent to speak to the legislator. Also, I made it a point to personally get to know all the members of the Legislature.

Q: How, with over 230 members?

NIX: Well, I had one of the finest secretaries that exists. She could call every member of the Legislature by name and know which county or area they represented when they walked in the office. She would study the book and memorize the information on them. My deputy, Dr. Edwards, and I would do the same thing. And we would try to know something about their background and call the local superintendent to get a little personal data on them. We just worked at knowing the members of the Senate and House. A lot of them were elected for 15 or 20 years and stayed in there, but we've had a lot of turnover in the last few years in the metropolitan areas. We had about 60 changes one year. That was a hard year to get all the information together.

Q: Did you have your staff running across the street, or did you deal with them directly?

NIX: I tried to write them a personal letter every year in December, and I'd personally sign every one of them. It took a long time, but I still thought it paid off. I told them that we were looking forward to working with them, that I had staff who would be glad to get information for them, and that we would be "on-call" to appear before committees or to work with them. I would tell them my telephone number and my top staff's. If you have need for information and you can't find me, I'd tell them, contact any of these people and they will get it for you. Then we got down to where that wasn't quite enough, just sending them a letter, so I had little cards printed up at the School for the Deaf with my name, and my office and home phone number. I did the same thing with the office heads, because I felt they should be available after hours just like me. I would suggest to the legislators that they put the cards in their billfolds and, if at any time they needed any information, to call us. This was most appreciated by those guys.

Q: Did you get much pressure from them in return, for example, let's say on hiring?

NIX: Probably one or two a year would call or send me a name. Most of the time they would want me to help some friend's daughter get a teaching job in a local school system. But a time or two a year, I'd get some member of the House or Senate who would want a son or daughter or cousin or friend employed; most of the time they were not qualified. Fortunately, I had very little of that. In fact, one of the most pleasant things that I did in my 12 years was working with the Legislature. Sure, they would grill the heck out of you when they would get you before them, but I thoroughly enjoyed it.

Education Interest Groups

Q: Could you comment on the main interest groups in Atlanta in terms of their influence with you, the Legislature and the governor?

NIX: The group that really was the most powerful with the Legislature and that I could always depend upon to help me get education legislation through—and you're going to be surprised at this—was the school bus drivers' association. They had a full-time executive secretary by the name of Wilton Hill. He'd have a three-day annual conference and invite the Governor and the Lieutenant Governor, and, gosh, they'd go. Ol' Wilton got a salary schedule written into law before I got into office. I decided they were not paid enough and I asked in my first year in office to increase bus drivers' salaries by $100 a year. I got it. From that point on, I never had to worrry about the school bus drivers' association. They worked their heart out for me. Wilton would always come to me if he heard something critical about me or the department over in the Legislature. He said, "You'd better go see so-and-so; he doesn't understand," and we'd start concentrating then to try to get some understanding.

Another group that is real powerful, and I always attended their meetings, is the school lunch people. We have a state association that is a real dilly. My school lunch supervisor, Josephine Martin—she's national president—really had that thing organized to the teeth. But unlike Wilton, they didn't help us on things like teachers' salaries.

Q: What about the teachers?

NIX: The first two or three years I was in office, I worked with those people and tried to carry them along with me. Then they started sniping at me. They would criticize me about increasing bus drivers' salaries and other things. They wanted it all to go into teachers' salaries. They wanted to tell me and the state board what to do about certification and things of that nature. I frankly told them, "Look, you all go ahead and work any way you want to. I will be glad to give you information, but I am not going to be dictated to by the association." For a few years, we had it real cool. They made a big push at one time for collective bargaining. I was bitterly opposed and still am. I just don't believe in it for public employees. Private business—that is their business. But if you are paying tax dollars to employees, I don't think they ought to have the authority to say they are going to quit rendering a service if you don't tax people to pay more salary. That doesn't make much sense to me. So I was bitterly opposed and they knew it.

I was also opposed to their setting the standards for certification. I fought Governor Busbee on this the first year he was in office.

Q: Had he endorsed that notion?

NIX: Well, for $30,000, you can endorse a lot of things. The teachers' association has a campaign fund that they can dish out. I think they gave him $30,000 in the run-off, or just before the run-off. He had indicated to them that he'd come up with a commission to certify teachers. He drafted the legislation and sent it over to the Legislature. I told him, "No, not me. I'll have to oppose you on that." He said, "Jack, we gotta introduce it." I didn't ask him why, but I assumed I knew why. He dropped it in the hopper and I said, "Now, Governor, I've just got to get the superintendents, the boards of education and everybody I can get opposing this thing." I said, "It is not right to give teachers the authority to determine who is going to teach, which in turn determines the amount of money they are going to draw and the level of taxation on the people." I said, "Someone who is legally responsible has to make that kind of determination, and not just classroom teachers." Well, we dickered back and forth for most of the session and finally I rewrote it a time or two and, sent it back to the governor. He

would rewrite it and give me another copy. We finally came up with a commission that has no teeth. It just advises the state board.

Q: If you went into most states 15 or 20 years ago, according to the textbooks, you would have found a coalition of education groups—teachers, superintendents, principals and all that—fighting together for more support for the schools. Did you ever have a coalition like that in Georgia?

NIX: That existed several years ago, and we still had some of it the first couple of years I was in office. The principals, superintendents and classroom teachers would all work together. But then it started breaking away. I think that is just part of the trend, everyone is for self. The teachers, all of a sudden, were asking: What's my rights, and what's your rights? And my rights outshine your rights, and so forth. I think the teachers got the idea that they ought to control everything since they had the most numbers. In my judgment they have lost tremendously politically by doing that. This is how the Legislature would beat us down on the education budgets for a long time. When it was time to testify, they'd say, "Well, look. The teachers want this. The superintendents want this. And the principals this. You all try to get together and decide what you want and we will try to give you some money to get things done." That was an excuse not to do things. I kept trying to tell these people, "Look, we have got to get our puppies all in the same pack here, or they are not going to do things that we want done."

We came up with kind of a coalition of groups. I don't know how much impact it had. It's a good sounding board. They never could say, "We want this as number one and this as number two." They'd say, "This is a group of things we want." Then it would always fall on my shoulders to establish priorities.

The teachers' associations are not as powerful, in my judgment, politically as they were 20 years ago. In fact, the last time I ran there was some conversation that the association might put up an opponent. I indicated to the politicians that, if I have an opponent, I hope the teachers support him and not me, because at that time the teachers were talking about all this

collective bargaining and negotiation business and I was publicly opposing it. I know for a fact that teachers can't elect you statewide.

Q: Do you think there is any hope in the next decade of getting the kind of support for the public schools that we are going to need without restoring the ability of the education community to speak with a more united voice?

NIX: Well, I would hope that they would be able to unite again. I think the chances of greater support for public education would certainly be enhanced. However, I am not so sure that we are going to have a very much higher percentage of our resources going into public education than now. I hope I am wrong, but I don't believe I am.

I think the best thing that could happen to support public education would be for teachers and school administrators to work diligently at getting the mamas and papas to understand what little Johnny is doing in their classroom, and what teachers have to work with. Too many parents today, in my judgment, dress little Johnny in the morning and just get rid of him for nine months. When he comes home at the end of the year and he can't read and write, they say, "That confounded school. Look at all that tax money I am paying and my little boy and my little girl can't read." They never stop to think whether they spent time each day with that child trying to help him understand.

When I was coming up as a child, after we had our night meal we sat around the fireplace in the cold winter with some kerosene lamps, and if you didn't study you had to sit there with a book in your hand until you went to bed. I thought about a lot of things just sitting there holding the algebra book at night. It is not so much that you want to regiment children, but get them to understand that their mamas and papas want them to learn. Now if we could do that, then we'd have more mothers and fathers saying to legislators, "How do you stand on supporting more materials for the classroom teacher? My little boy's teacher does not have the things she needs." Now to me, that's the way we're going to improve education in this country.

State-Local Relationships

Q: Jack, describe a bit your relationships with local school districts.

NIX: My relationship with local school superintendents is one that I cultivated religiously. I made a lot of personal visits. Many of the superintendents would invite me to their meetings with teachers, principals, PTA, and things of this nature, to give me a chance to explain some state or federal requirement that was giving them trouble in their district. On occasion, I would meet with the superintendent and members of his board on some knotty problem regarding capital outlay, or whatever. I would try to be helpful, but I certainly would not interject myself into any personnel problems on the local level. I also had a program for training new superintendents. This got them acquainted with my staff and my department. We tried to convey to the superintendents that we're there to help them because there's nothing good going to take place in public education in my state, or in any other state, unless the local system carries it out. You can't do it for them.

Q: Some academics have been worrying out loud about too much power gravitating to the state department from local school systems. What do you think?

NIX: Yes, I think there has been a trend to this effect, and part of it is because of the increased influence the federal people have. As a state administering federal law, we have had to be much more autocratic in our relationships with local systems. I think it's moved far enough. You're not going to legislate quality instruction, and just because you pass a law doesn't mean anything is going to happen locally. There are too many ways that a local system can sabotage a state law or a state board regulation. I am convinced that parents aren't going to let an awful lot of destruction take place in the public schools, if we try to give them the support they need to have a good instructional program. I think local people, the people closest to the child, can adapt techniques to their own local classroom. I don't think you can structure an instructional program for a particular course or grade, and send it out as a canned program for every school in the state. You've got to have some decisions made on the local level.

Q: Jack, you have been criticized for going too far in supporting local superintendents. Some of your staff felt that if a local superintendent complained that they would be overridden. In fact, there were orders not to monitor, not to play an enforcement role.

NIX: Yes, I took that position. The local superintendent was the constitutional officer, and it meant just as much to him to have a good school as it did to me as state superintendent. The problem I had with the staff—and I suspect this would be true in any state department—is that they have a tendency to operate somewhat like mules when we used to ship them into the state. If you put a blind bridle on the mule so he can't see what's on either side of him, he'll go straight. Individual specialists have a tendency to have blinds on them and they can only see one little segment of the school operation, and to heck with everything else. They say, "I want mine to be good." Well, you don't want people who don't want good programs, but I tried to say to them, "Now look, in working with local staff, you understand that the superintendent has the total program to look at. Whenever he tells you that he wants to do so-and-so, don't tell him, 'You're not going to do that.' Try to find out what it is he wants to accomplish and then find a way of helping him." At the same time, you've got to obey the law and state board policy. Occasionally, I overrode a staff member, but never to the extent that I would break a law or policy. It was a matter of judgment, and sometimes when you employ a person to supervise local systems they get too much of a feeling of importance. They don't keep their feet flat on the ground in terms of looking at it from a realistic, common-sense standpoint.

Q: I had the same problem in Pennsylvania, Jack. It has something to do with expertise and with the feeling that you know more about a particular subject than anyone else does. I don't know how to marry expertise and common sense—they just seem to be two qualities that in some ways are antithetical.

Desegregation

Q: Before turning to the Washington scene, let's look at the desegregation question in Georgia. What was the situation like

when you came into office in 1966, and how far have you folks gotten in dismantling a dual system?

NIX: Before I became a chief, the board had sent me to Washington to hand-deliver a state plan for desegregation and to visit with members of our delegation. I went over to talk with Senator Richard Russell and one of the first things he told me was, "Jack, the people here in Washington know that those of us from the South are opposed to this, but we don't have the votes to change it. Some day when it is applied to all 50 states, my guess is that the policies will be changed. The people will not submit to this kind of disruption of family life, to have a family buy a home in a particular neighborhood because there is a school, and then to have the school system take one of your children over here 15 miles to another school and let one of them stay here, and take the other one 10 miles in the other direction. That's not the American way of life. And, in my judgment, some day the courts will say that children can attend the school nearest their places of residence regardless of their color, creed, or anything else. To me, that is constitutional." And that has been *my* argument from the very outset.

Soon after I took office and the Nixon administration came into power, some constitutional officers in Georgia switched to support Nixon. They invited me to switch with them, but the Democratic Party had been too good to me, so I decided I better stay where I was. They made arrangements for me to come to Washington and sit down with Attorney General Mitchell and his staff, to explain what we are trying to do. When I finished, Mr. Mitchell turned to me, took his pipe out of his mouth, and said, "Mr. Superintendent, you're going to do what we tell you to do or we're going to put you under court order and make you do it." I indicated to him that if they made us go as fast as the administrators were saying, they would have to put us under court order, because we couldn't do it. Within 30 days, he put the state board, me, 81 school system boards, and their superintendents all under court order.

I think I was still under most of that court order when I retired. But we desegregated the schools in Georgia without a tremendous upheaval in terms of physical violence or any of those things. It did not help public education though. We can prove that children are learning more in the last two years in our

state. But we had a heck of a time in the late '60s and early '70s—a real difficult time. But our people have accepted it. We are still wasting money hauling children around for the sake of hauling them.

Q: You've been criticized for not taking a leadership role during the integration process while the number of black principals declined drastically.

NIX: There's a lot of truth in that. I did not inject myself as superintendent—and the state board did not either—in the employment of people on the local level. I never felt that the federal government, in administering the Civil Rights Act, provided the funds to compensate the state for administering the federal law. I didn't feel at ease in using my own state money in trying to administer a federal law.

Q: Let me ask the question in a slightly different way. I had no authority in Pennsylvania to hire superintendents, but I went around making speeches saying that I thought it was a disgrace that there was only one woman superintendent out of 504 in Pennsylvania. I was trying to help create a climate of opinion where a school board would have known that Harrisburg would be supportive if it had a good woman candidate. Did you think it was incumbent on yourself or the state board to say, "We hope that as you go about the job of integration, you won't decimate the ranks of black people in positions of leadership?"

NIX: Well, Pitt, let me say this about the employment of blacks: Just to employ a person because he's black doesn't particularly help public education unless he has the capacity to produce to go along with it. Unfortunately, over the years the colleges and universities across this country—and it's not just limited to the South—awarded degrees to many blacks who had less quality attached to them, in terms of knowledge from the institution, than many of the whites. We didn't pay a lot of attention to that as long as we had the dual system. We had many black school administrators and black teachers in the South, and I'm quite sure in the North, who really never should have been teaching. We had some whites too, but I think the percentage was greater among the blacks. When we began to eliminate this so-called dual process of education, it would have been a real disaster in some systems to have put the black principal in

charge of the whole school whenever you move blacks and whites into the same room.

It's true that we dropped in numbers of teachers and in numbers of administrators, but I think we have salvaged some very fine black administrators who are now beginning to be very prominent in the instructional programs in a lot of the systems. We are now having many of the black school administrators move into the preparation programs in the better institutions, even the white institutions. Some of them are coming out with doctorates now who are very fine school administrators, and we have a few black superintendents. No, I did not get on the stump, as such, and say, "Now you keep your black percentages of administrators, or your black percentages of teachers."

Q: Did the fact that you were elected and had to run for statewide office—and in a state that had elected Lester Maddox governor—did that make you more reluctant to move fast on the hiring of blacks?

NIX: No, I don't think this was in the back of my mind, at least I hope it wasn't in the back of my mind, because I knew that the majority of the voters in the state was going to be white and there would really be no need of my trying to get myself involved in something of that nature. Yet, on the other hand, I said, "It is the law," and I publicly did this on TV, and put it in writing that we must abide by the law. I felt that if I could do what I thought was right most of the time, that politics would take care of itself.

The Washington Scene

Q: Jack, describe a little bit how you dealt with Washington.

NIX: I was fortunate in having had an opportunity to get somewhat acquainted with the Washington scene while I was state director of vocational education. Dr. Purcell and Mr. Peters would send me up there on chores dealing with things other than vocational education. Also, I was on the board of directors of the American Vocational Association. M.D. Mobley, the executive secretary, was one of the finest lobbyists on the Hill. We were also fortunate in having Senator Russell, a very powerful individual, and Congressman Phil

Landrum and other substantial members in Congress. So after I became state superintendent it was somewhat automatic to just continue that personal relationship.

I got acquainted with individual staff members, and if it was a real hot issue the staff would always put me in touch with the senator or the congressman. In the last few years, I had one man on my staff who was my federal liaison. But I still maintained my own personal relationship so that I could pick up a phone and talk to any staff member who worked for our delegation, or I could walk in the office and talk with them. When members of Congress came back to the state, I'd make sure I was at some meetings they attended, and make some flattering comments on those guys before they got up to make their speech. And it worked. You see, if I come into your office and started trying to get you to do something for me, you are not going to look with much favor on it unless there's a little reciprocity involved. You figure he'll pat my back some day in return for my patting his back today. That's just human nature.

We also put out written communications for local superintendents about what was going on in Washington and the position, as best we could determine, of the different members of the House and Senate. On occasion I would ask a particular superintendent or a group of superintendents to catch a plane to Washington and sit down with their particular congressman.

Q: Let's talk a little about what you and I call the chiefs—the Council of Chief State School Officers—which represents the 50 states and six territories in Washington. How effective do you think we have been over the last decade?

NIX: Initially, I was really disappointed in what the council was accomplishing as a council, because of my experience with the AVA. They followed day by day exactly where any legislation happened to be in the Congress relating to vocational education. You didn't have to guess, because Dr. Mobley was on top of it in Washington and he knew.

Q: Jack, AVA as a lobbying group had several advantages that the chiefs didn't have. One is that they were focusing on a modest portion of educational policy—vocational education—where the chiefs had to worry about just about everything.

NIX: But, Pitt, there is more than just that. Just think about teacher preparation programs. The training programs for vocational teachers are stronger, or have been stronger, and more effective than those for the regular teachers. One of the reasons is that in vocational preparation programs you are taught how to work with people. I well remember Dr. O. C. Aderhold, who taught me a course in adult education and who later was president of the University of Georgia. It was important, he said, that we not buy a new automobile when we go into a community to be a vocational teacher, and that we certainly shouldn't buy a convertible when we left school to go out to work with the farmers. He told us we were not to wear a white shirt and tie. He even taught us how to shake hands. Think about it. If you shake hands with a person and it is like shaking hands with a cloth, that person doesn't impress you very much and you don't hire very many of these people. Now to my knowledge, there are not teacher preparation programs in mathematics, science, or any of those that go to that extent. Therefore, vocational teachers know how to work with legislators and congressmen.

Another thing with the chiefs, there is such a turnover. When I dropped out after almost 12 years, there were only two people who had more service as a chief than I had. Another problem is that a lot of the chiefs come strictly from the academic area, having taught subjects in high school, or maybe having been a professor in a college. All of a sudden they find themselves as a chief. They didn't have that much political savvy.

Q: Let me go back. You were saying that in the mid-1960s when you became a chief, that you were disappointed with the council.

NIX: Well, three or four of us who were chiefs when I first came in really complained about the ineffectiveness of the council in dealing with the Congress. Up until that time it seemed that the council would prepare a position paper and send it over. Well, that's not anything. You have to get more to the nitty-gritty of the politics than just sending someone a prepared statement. They can file it and forget it, or read it and not understand it if it's written by an educator. We began to complain that we needed more knowledge of what was going on and when, so we could be effective back home. To me, the council ought to

service the chiefs on what is going on legislatively in Washington.

Q: Do you think it's possible to develop a better set of relationships between Washington and the states, and how?

NIX: There is no question in my mind, if we just act like adults. Let me explain that. The problem is that whoever is president comes up with an idea that he wants written into legislation, drafts it up, and it's an administration bill. Or some member of the Congress will have a pet peeve—something is not right back home and he thinks the whole country has the same problem. He drops something in the hopper, it starts through the mill, and the states raise objections. The states, then, are looked upon by the supporters of the legislation—either the individual congressman or the administration—as being "anti" from the very outset. I wish there were some mechanism, even written into federal legislation, that there had to be at least a half a dozen or a dozen individuals from states—say half of them state superintendents and half of them members of state boards of education—who would be called upon to analyze proposals for federal legislation before they are even acted on by sub-committees. And this ought to take place real early when the legislation is in its embryonic stage.

Q: Let me try one idea. There has been, as you know, talk of a cabinet-level Department of Education, and one of the bills requires a 15-person national advisory committee on education.

NIX: How are they put together?

Q: I'm not sure about that. My fear would be that a president would appoint a very activist commission, which rather than slowing a secretary down, and saying, "Now Mr. Secretary, just a minute, let's look at the impact of all this on the states and school districts," might well serve the opposite purpose. Do you think that is a way of dealing with this problem?

NIX: I think for it to work you would probably have to make some of this 15-person group appointed by the president, and some appointed by the speaker of the House or the president of the Senate. You need some mechanism to be sure to wind up with a divergency of loyalties. I think that would be important. Now

whether a cabinet secretary would be better than a commissioner or a division within the present cabinet setup—that would depend on the person. You know, people make laws and policies work. Policies don't work by themselves.

The Education Commission of the States

Q: You weren't a member of ECS during your tenure. How did you feel about it?

NIX: The first year it came out, I pushed it hard. We got the bill through the House, but we could never get it on the Senate calendar. We had a real John Bircher who thought it was just another way of letting Washington take over, going socialistic and all that stuff. She sold Governor Maddox on the idea that we ought not to join. It didn't pass. I attended a few of the meetings of ECS and after that I decided maybe it was a good thing we were not a member, because I still haven't seen anything the commission has accomplished. They have put out a few little studies, but I am not so gung-ho that it is going to be all that grandiose an organization. I can't see any evidence that they have influenced federal legislation. Denver is too far from where the action is. I never could understand why they wanted to be housed there, if they wanted to have an impact on national policy for public education.

Satisfactions and Disappointments

Q: As you look back on your 12 years as chief, what things give you more satisfaction than anything else?

NIX: The thing that I'd put at the top of the list is the fact that we desegregated the public schools of the state without abandoning public education or creating complete chaos. I doubt seriously that we've ever had that much of a challenge to public education in our state. Another thing that I'm greatly pleased about is the fact that we built a network of area vocational-technical schools. And we also have a substantial number, somewhere around 150 or 160, of comprehensive high schools in operation. This is one thing that has helped us hold our schools together, both for black children as well as white. Another thing I'm extremely pleased with—and disappointed

with at the same time—is that it took me almost 12 years to get the kindergarten program kicked off.

Q: I was going to ask you what your greatest disappointment would be.

NIX: My biggest disappointment was the failure to move the kindergarten program more quickly. In my judgment, a good readiness program or kindergarten program, whatever you want to call it, for every child in this country would do as much to improve the end product from high schools as any single thing we could do.

Q: Jack, if there's any one decision that you could make over again and make differently, what would it be?

NIX: I think I would probably work harder in the early years of my term to increase teacher salaries. I think it would have indicated to young people that our state really believed in paying a school teacher a decent living wage, and they'd value education much more highly. In my almost 12 years we more than doubled the teachers' salaries. Now the minimum starting salary under state law is about $8,900. Many of the systems add to it. And the highest classroom teacher with the highest level of experience and degrees earns somewhere around $16,000.

Training to be a Chief

Q: As you look back, what sorts of training and things happened to you in your own life that equipped you to be a chief?

NIX: Well, my dad shipped mules into Georgia from several states, and we would trade them, swap them, and send them back to south Georgia to be tobacco mules, the old ones. We'd trade the young mules for anything. Observing my dad as he worked with the farmers, selecting mules and establishing a positive, permanent, substantial relationship with these people, helped me because I had started following in his footsteps before I went off to college. I did a little trading. In fact, I made enough money to pay my first year in college trading mules. But I don't think that every chief state school officer ought to be a son of a mule trader because we don't have that many mules any more. I do think the people going into that kind of a position should have had some experience in working with people so when a

person walks into your office, or you go into his office, they feel comfortable in talking with you, that you're not something up on a pedestal. You've got to be able to talk their language; you've got to be able to talk the college professor's language, on the other hand, too. You have all kinds of people in the House and Senate and all kinds of people becoming governors. A person just going through a bunch of courses on a college campus and then going into state superintendency would have one heck of a time.

Q: Academic training isn't in itself going to do the trick?

NIX: It's important, now; don't misunderstand me. Let's take Harvard, for instance. If they were to take an honest-to-god look at their program of training administrators, they would assign each student for one quarter of his time to work with a state superintendent, to be his shadow and assume responsibility for carrying out assignments. Then give the student some time back on campus to go around to the professors and say, "Look, in your course we talked about how we'd do things this way, but I didn't find it that way. I found thus and so out there; now how should I get myself prepared to handle this kind of situation?"

Q: How about training for the newly elected or appointed chief?

NIX: Once they're named, most of them have to work the next day. That's a problem. But I think it would be money well spent for an institution to carry on pre-office assumption training programs.

Reasons for Stepping Down

Q: There's a consuming curiosity in Georgia to know why Jack Nix quit.

NIX: Well, from the time I started teaching school, I always had in mind that when I had enough service to draw my full retirement, I would retire. With 34 years of service, I qualified last year. I was not in trouble politically and think I could have been elected again with no problem. I had a good relationship with the governor, and I doubt seriously that I've ever had a better relationship with the Legislature. I also had good relationships with the local systems, superintendants, boards of

education. But as I looked back on my life, I had neglected my two children when they were younger. After I went to Atlanta—one was seven and one was 12—I worked night and day and a lot of times I just had no time with my children. I neglected my wife and my parents were getting old. I'd just lost my mother. So I decided that I am 55 years of age, and with the retirement benefits, I would have enough to live on comfortably for the rest of my life, and I could spend time with my family. I've never had a job I didn't enjoy, but I've never looked back on anything I've left with many regrets. I am happily retired. My family's delighted. I don't know, someday I may work on another job, or start another career.

III

Dolores Colburg, Montana Superintendent of Public Instruction, 1969-1976

Running for Public Office

QUESTIONER: Dodie, why don't you start by telling us about your professional career and how you came to be an elected chief?

COLBURG: Mine is an atypical case. For a number of years I had worked without a college education as a paraprofessional in the oil industry, until at 28 I decided to get a college degree. After that I taught in a junior high school for three years. I detested that—it's cruel and unusual punishment that the Supreme Court hasn't even addressed. Then in the spring of 1967 two things happened. My superintendent of schools agreed to transfer me to high school teaching, which I had always wanted to do, and I was asked by the state superintendent of public instruction in Helena to join her staff. The latter seemed a more attractive opportunity, a chance to gain more experience and of a different kind.

Not too long after I joined the department, I was asked in September of 1967 to be the superintendent's administrative assistant. Then the following February she announced that she would not run for a fourth term, so some of us started ruminating about who was going to run. I had run for the state legislature in 1956 and had been a political creature nearly all my life, so people started saying, "Well, what about you?" My decision was wrapped up in two days. I thought, "What do I really

have to lose by trying?" I did some checking with some Democrats I knew around the state, and people encouraged me to jump in.

Q: What did you jump into? A primary fight?

COLBURG: Yes, there were three Democrats and three Republicans in the primary, which was rather typical when a seat was open. Neither one of my Democratic opponents had any political experience or were known within the Democratic Party. So I had a leg up because a lot of Democrats knew me, and I had kept my party credentials pretty much in order.

Q: What did it take to win the primary?

COLBURG: I didn't spend much money, but I made sure I hit the series of dinners sponsored by the party. At most of them, everybody who was running was there—the county commissioner candidates, sheriff candidates, legislative candidates—the whole state ticket and in Montana that was pretty long. When I spoke, I kept within my assigned time and mainly pointed out to people that I'd always been a Democrat, that I had on-the-job experience, and that it was great to be back in the community to see old friends and make new ones. One of my opponents was really imbued with diagnostic testing—that's all he could talk about—and he was notorious for running well over the time allotted. That didn't sit well with people. The best thing was to get to the dinners early, stand at the door and shake hands with the people coming in and linger after to chat.

Q: So you won the primary. What did it take to win the election?

COLBURG: I had to raise money. This was very difficult for this office for a variety of reasons. First of all, the election came, as always, in the presidential election year; everybody was running, and therefore the competition for money was very keen. The one group, teachers, who you would think should care the most about who's state superintendent, were the toughest group to part from a buck that you'd ever find. Not only that, they wouldn't get involved in the campaign. Of course, I did have some school teachers who worked hard for me, but their success at soliciting money among their peers was very, very poor because of the erroneous notion among teachers, "Oh, I can't possibly get involved in politics." I think things may be changing, but there's still a long way to go. Anyhow, I would raise

money, but in very dribbling amounts. In 1968, for the primary and general election I spent under $13,000. I spent $8,600 in 1972, and my successor in 1976 spent around $10,000.

A second thing I did was get around to 23 of 26 scheduled county fairs in 1968. In fact, in a little over two months I put 25,000 miles on my car. Fair time is fun time, a time to be relaxed. I went out with 50,000 balloons, shook hands, said I was running for state superintendent and "I hope I have your vote," gave the adults a card, and gave a balloon to their children. It was a marvelous way to meet people you otherwise would not see, and also to see lots of cows and pigs and chickens.

Q: Did you get help from various interest groups?

COLBURG: From labor and the Democratic Party, but none of the education groups would endorse a candidate. All they would do was invite candidates to a forum to meet them. They just didn't get into the business of endorsing candidates.

Q: What did you win by?

COLBURG: I won by 13,000 votes, which was not a great margin, but for Montana it was not as little as one might think.

Q: And in 1972, did you have primary opposition? How did you do in the general election?

COLBURG: I had no opposition in the Democratic primary in 1972 and less formidable opposition in the general election than in 1968. I won by a very handy margin, about two-to-one, and I was the second highest Democratic vote getter in the state. Only the secretary of state got more votes than I did, and he'd been in office about 30 years and had very weak opposition. So I was grateful not only for the margin but also for the sheer number of votes.

Q: Dodie, there's a lot of discussion in the academic literature about the best governance structure at the state level. Some people think chiefs should be appointed and others think they should be elected. What do you think?

COLBURG: I don't think there is any ideal kind of governance structure. As in most institutions, you've got to have good sound people to get the job done. If you have a really god-awful kind of

organizational structure, that can impede good people. But even the most perfect structure that academics and theoreticians might agree upon is not going to work if you haven't got the people.

Q: Were there advantages to you as an elected chief?

COLBURG: It was helpful with respect to the Legislature on those issues—which I would carefully pick and choose—on which I would personally testify. My mere presence was a reminder that I too, like them, was elected. And they didn't lose sight of my victory margin in 1972. It was also helpful not to be subservient to a governor or to a state Board of Education. I could go directly to the people, as in the campaign, meeting with various groups and laying before them what I wanted to accomplish as state superintendent.

Q: Disadvantages?

COLBURG: The time and the business of raising money, although that's less of a problem in Montana than, say, for Wilson Riles in California. Only $8,600 for a reelection campaign—that's unheard of. Also, I had to do a great chunk of fund-raising myself, and that's demeaning for any candidate. Another disadvantage is that people could say, "Oh, that's just a political position," but in Montana that didn't happen much. There's been a strong legacy that the elected chief doesn't pack her staff with political cronies but does make decisions based on the best interests of education. Finally, if one looks across the country, elected chiefs are paid notably less than appointed ones.

Managing the Department

Q: Could you tell us something about your department and how you managed it?

COLBURG: My department had about 85 professionals and a total staff of about 150 or 160. And all that staff served at the superintendent's pleasure—there is no civil service. But because of the state's tradition and legacy, that didn't mean that you indiscriminately dismissed people. In practice, you had to have darn good solid reasons to dismiss someone, and we had an affirmative action policy and a grievance policy.

I spent a lot of time trying to bring about internal changes, trying to move from a rigid, hierarchical system to one in which people could share in decisions. There were a lot of continuing staff members, some of whom had been there ten to 15 years, who thought the thing to do was to agree with the boss, go along with the system, and not make too many waves.

Q: So what did you do?

COLBURG: I really worked on building a participatory mode of decision-making in the office. This meant truly delegating authority with responsibility and truly having the staff involved in major decisions. To get it going, the professional staff went off for an entire day to a conference area—removed from our office in Helena—and we brainstormed. We asked, what are we about? What goals should we set for ourselves as a state agency? It was a great process, marvelous. People were excited about it, and out of that came written, specific goals for our state agency. Then the different component directors were responsible for seeing that all of their staff would write out clear objectives for the next year, list the attendant activities, and tie them into the overall agency goals. I called these people "component" directors rather than "division" directors because division sounds too much like dividing and splitting, while components sounds like different parts of a whole. Anyhow, we built our budget around these statements of objectives and programs saying, "You submit it, and we'll see if we have the dollars to fund everything you asked for." That was better than saying, "You've got X amount of dollars; figure out how you're going to spend it." That used to happen, but we never did it anymore.

It took a lot of time and energy to practice what I choose to call participatory management. It took convincing some of my senior staff who didn't really believe that much in it—at least, not at first. You don't convince them or the rest of the staff overnight just by saying, "I believe this; I believe it wholeheartedly." They wait, they wait, they wait for repeated demonstrations that you really mean what you say. But I think the payoff was enormous in improved staff morale and in the commitment of people because they helped to shape the objectives and goals.

Relationship with State Board

Q: Would you describe the composition of the Montana State Board of Education?

COLBURG: Prior to 1972, there was a single state Board of Education that included eight appointed members along with the governor, the attorney general and the superintendent of public instruction. So all 11 of us had voting privileges. That board had responsibility for the public schools, and, as ex officio Board of Regents, it had responsibility for the state's higher education system. Our constitutional convention in 1972 established two clearly separate boards—the Board of Public Education and the Board of Regents. The governor and attorney general were no longer members of either board and the state superintendent became a non-voting member of each board. Each of the new boards had seven members—though not the same people as in the past—appointed by the governor with the consent of the state Senate. As before, they had to be balanced between political parties and geographic areas of the state. Terms were for seven years—one new appointment each year—so that no governor in one term of office would get control of the boards.

Q: What is the role and authority of the Board of Public Education?

COLBURG: The board is a policymaking body, and its areas of responsibility are spelled out in state statutes—for instance, teacher certification, standards for accrediting schools, special education policy. The superintendent has some policy functions too, but the job is mainly an administrative one. The board is a constitutional body; the state superintendent is a constitutional officer. The board was not subservient to me and I was not subservient to them, except as prescribed by law. The board did not approve my staff appointments, with the exception of vocational education staff, whom they confirmed in conformance with state law.

Q: Was the creation of two boards by the constitutional convention a step in the right direction?

COLBURG: I strongly supported the two board concept at the time, but I now wonder whether it was a mistake. Under the old system, the board used to rush through the elementary and secondary

education agenda to get on to the university agenda. I guess they felt more prestige in saying, "We are regents of the university." So I wanted more attention paid to the public schools. What happened is that once we had a separate board focusing exclusively on the schools, it got more and more into administrative details, to the point where I would grit my teeth and think, "I've got to go to another damn board meeting." I couldn't stand it finally. They would niggle and niggle and fight and connive, and I would constantly point out that they had strayed away from policy and were into trying to run things. They were just terrible sometimes. One board member would call my staff at home at night and give them orders. I confronted him on that.

Q: I wonder if that isn't almost inevitable when you get a state board that says, "Okay, the superintendent isn't going to push us around." They tend to get into administration. The academic literature suggests that state boards are little more than rubber stamps of chiefs' decisions. What's your view?

COLBURG: I think that's largely true, but it depends on the issue. A lay board cannot do the kind of work that has to be done to make informed decisions. It's got to rely on a staff, an agency. What the board can do is ask questions so they can understand how something before them was put together. On *pro forma* kinds of things, sure the board was a rubber stamp. On others, not necessarily so. For instance, we extensively revised the accreditation standards shortly after I came into office. This was an extended process involving a lot of people, particularly school people. When it came before the board, they set up hearings and brought in various education groups. They did not simply take my recommendations and rubber stamp them.

Q: Did your board ever seek an independent staff of its own?

COLBURG: Ultimately the board got its own independent staff, one professional and a secretary. They did it for several reasons. First, they wanted to have someone who was their very own, and I could understand that. This was not characterized as casting any aspersions on me, but they felt better if they had their own person. After all, I wasn't their employee. Second, my board worried about being a rubber stamp; they would talk about that and they got themselves to the place where they felt they needed their own staff. But the idea for an independent staff

was also engendered in large part by NASBE, the National Association of State Boards of Education. NASBE in the later years of my superintendency got a new vigorous executive secretary who unfortunately started to advocate adversarial relationships between boards and chiefs. He went out proselytizing boards, especially in states like Montana with elected chiefs, to try to turn them around. I thought that was unfortunate because there had not been an adversarial relationship between me and the board, but increasingly in the later years I came to feel that tendency more and more. It was aided and abetted by NASBE and by some members of the board who were really taken with NASBE's executive secretary and his views.

Chief-Governor Relationships

Q: Talk a bit about your relationships with your governors and their staff.

COLBURG: During both my terms, I went to the governors—there were two of them—and indicated that I would like to have the opportunity from time to time to talk on major educational issues. In fact, I told the second governor, Tom Judge, that I'd been a little dismayed that there had been so little opportunity to talk with the former governor and I hoped that might be changed. He said, "Oh indeed, absolutely, Dodie. We'll sure get together and talk." In practice, we never did. Both governors were nice and we communicated well enough, but they never really got particularly involved in education. Why? Because they were more interested in higher education than the public schools, and both governors thought I was competent; they respected me as a constitutional officer. Of course, both governors made it clear in their campaigns that education deserved more support, but they didn't come out with really specific figures.

Q: What was the role of the governor's office in the budget process?

COLBURG: Each biennium we would make up our budget on forms provided by the governor's office, but nobody dictated what shape the budget should take. The governor's budget staff would either accept our budget in its entirety—that happened the

first four years of my term—or the budget staff would want to negotiate on some items. The governor's budget staff was small, with each person covering a broad range of areas.

In practice, the governor never did add or subtract from our budget, I guess because I was a co.. itutional officer. One year, in fact, I asked for a whopping increase of 26 percent in the basic foundation program for the schools. I knew the Legislature would never pass it, but I felt it was my responsibility to ask for what was required under the law. The 26 percent figure went into the executive budget book at my request, but the governor, who had to submit a balanced budget, asked for an 8 percent increase. I can't remember a governor not addressing education, but they always made it clear that, while they recognized a great need, there were limited resources.

Q: What role did the governor's office play in hiring your staff?

COLBURG: None. There were never any attempts to get their own people hired.

Q: Did the governor ever consult you on appointments to the state board?

COLBURG: No, except for one night when the governor and I were separately walking out of the Capitol, and we got to the door at the same time. He said, "Hi, Dodie." "Hi, Tom," I answered. And he said, "Oh, seeing you reminds me, gosh, we've got that board appointment." I knew there was a Board of Public Education vacancy—it had been sitting there vacant for two months, and I had been wondering if the governor was ever going to fill it. He said, "Have you got any ideas for anybody?" and I said, "Yes," and he said, "Who?" and I gave him a name. He said, "Oh yeah, thanks a lot," and he appointed him. Crazy, just crazy.

Q: This may be an argument for making sure that you are in physical proximity to the governor from time to time.

Working with the Legislature

Q: Could you talk a bit about your legislature?

COLBURG: The state Legislature in Montana has improved over the years, but I still think it has real problems. Number one, it only meets

biennially, which I think is outrageous. Sixty days under the former constitution and 90 days under the new one. Just crazy, but that's not untypical of a lot of states. Even in a state like Montana, government is a rather sizeable business. The Legislature relies on a lot of interim committees and they have their own legislative council with a very small staff. I don't think the Legislature is decently staffed at all.

Q: Does this result in the executive branch dominating government policy?

COLBURG: To a large extent, although the Legislature has started to build its own capacity. It has its own fiscal analyst, set up something like the Congressional Budget Office, so it doesn't have to rely on the governor's budget office.

Q: Did members of the Legislature try to influence you at all in the hiring of staff?

COLBURG: No. I know that sounds curious, but it never happened. Even though the superintendent is elected through a partisan process, once on the job the tradition was *not* to make staff decisions on partisan grounds, but on the basis of competence. That tradition was very firmly there before I came in, and it's one that I followed.

Q: Tell us how you dealt with the Legislature.

COLBURG: First, under my predecessor, a staff member used to sit in the House and Senate galleries, watching the proceedings day by day. I knew that rankled some legislators, and I thought it was an ineffective use of staff time, so I stopped that. Second, the top staff in the office and I would meet every night during the legislative session and look at every bill that had been introduced that day to see which had any potential importance for us. We'd farm the bills out for comment within the office, and then we'd decide our position. We'd put out a worksheet listing the bills and our positions. Of course, that information would become public. That didn't bother me. If you're going to take a position, people ought to know it.

Another standing rule was that if a legislator wanted some information, we would provide it. If the legislator wanted it in bill form, we would do that. But if we opposed it, we'd tell him that. Also, my staff was told that they didn't have to channel

every request through me, which had been the case before my term. You can't control it, and there's no point in laying down a dictate you can't control. You also have to have some confidence in your staff.

Finally, I very carefully chose those bills on which I would personally testify, believing that too many appearances would dilute my impact. I'd marshal all the facts I could and make my most persuasive arguments.

Q: I have the impression that you were pretty successful in your dealings with the Legislature. What accounted for it?

COLBURG: Openness, I think, was a major factor. Different legislators would say, "This is really refreshing, the open posture you and your staff have. I always feel that I can phone or visit the office and be able to see people and get answers." The second thing was being honest. We tried to practice that scrupulously. I told my staff to say, "I don't know," when they didn't know or, "I can't answer the question, Senator. I'll be glad, however, to bring it to your committee later on." We didn't do a lot of posturing and that sort of thing.

Education Interest Groups

Q: Would you talk about the role of different interest groups at the state level. In Montana, which groups were the strongest, and which were the weakest, and why?

COLBURG: For a time, the School Boards Association was clearly the weakest. Part of the reason was that they had a very ineffective executive secretary. Also, school board people are part-time. These are unsalaried positions in Montana. School boards meet once a month, and in some of the smaller communities, perhaps not even that frequently. So these people are not as well organized as, say, teachers and school administrators. They now have a superb executive secretary who is really trying to move the group.

The School Administrators Association has a fair amount of clout. They have one professional person, an executive secretary. They're building a little more expertise within their ranks, but I doubt that they'll ever have a staff like the teachers' group, simply because their dues probably won't support much paid staff.

Clearly, the teachers' groups are the best organized and most influential. Montana has an AFT affiliate that is strongest in big union towns—Butte, Anaconda and Great Falls. But the MEA, the Montana Education Association, which is the NEA affiliate, is overwhelmingly the largest group with the biggest membership. The MEA isn't going to make or break statewide elections, but they have a fairly good batting average with the Legislature. They have a pretty good staff—somewhere around seven professionals—and they know what they're talking about. They've got good data—statistical and other—to present to the Legislature. They've built real credibility.

Q: Did the interest groups work together with you as a coalition?

COLBURG: These groups oftentimes are on different sides. But I would ask the representatives of the associations to sit around a table with me. Most of the time they would because I guess there's some kind of decency or courtesy that exists: If the state superintendent requests you to come to a meeting, how do you turn it down? I would concentrate on issues where we could present a united front and go in with one bill on which we agreed, rather than each of us dropping a bill into the hopper. All of those groups, for instance, believed in the kindergarten issue. All of them believed in decent state funding for the schools—they all knew that the schools needed more money. But there were real differences among those organizations, some of which I didn't have to get into at all, for instance, collective bargaining.

Q: You didn't take a stand on collective bargaining?

COLBURG: I had no responsibility for it, and we had a plenty big enough task carrying out our constitutional and statutory responsibilities. Why take on an issue that was explosive and over which I had absolutely no jurisdiction? It seemed to me silly. I'm willing to take risks, but I'll be darned if I'm willing to put my head on the block to be chopped off, especially on an issue over which I have no control.

Dealing with Local Districts

Q: Dodie, we're interested in your relationships outside of state government, too. Would you talk about local education agencies—how you communicated and dealt with them?

COLBURG: One thing we did was to beef up a monthly newsletter that we sent not only to all the school districts but also to every classroom teacher. That was one mechanism for trying to stay in touch. Another was staff visitations to school districts throughout the state. During my tenure, we made that a more purposeful kind of activity. Instead of an English supervisor just hopping in his car to visit some school people he hadn't seen for a while, we tried to tie these activities to our goals and also to respond to requests that made good use of our staff's time. We also started playing the brokerage role, putting school districts in touch with one another. When you think one English supervisor, one math supervisor, and one reading supervisor are to cover some 850 school districts, you'd better try to use staff time effectively.

The third thing we did was to start moving away from specific discipline people who produce curriculum guides—English, math, science and so on—toward generalists. I knew as a classroom teacher where those guides sat—on the shelf. It was our feeling that we would be far more helpful to schools if we could increasingly build our capacity to help them in the process of curriculum redesign and in setting their own goals. In fact, we set up what we called a School Community Assistance Process, and upon request would send in a team to help school districts decide for themselves what they wanted their schools to be about and how to evaluate them. The schools loved it and made wide use of it. We couldn't meet all their requests.

Q: You've talked about your service role toward local districts. Would you talk a little about what is referred to as the regulatory role and the leadership role?

COLBURG: We tried to handle the regulatory function as creatively and imaginatively as possible. For instance, state law mandates that we accredit all the schools every year. When we went through an extensive revision of those standards, we made darn sure that we involved the people who were going to be affected by the changes. It took 18 months, but I think it was well worth it.

Q: How about the leadership role of the state superintendent? How did you view that?

COLBURG: The chief state school officer should strike out on issues that he or she believes are very important. You have some vision of where you think the state ought to be moving, and you have enough courage to stand up and speak out. Leadership meant, as far as I was concerned, that you talked to different bodies and groups—both school people and others—about setting statewide goals for education, of which there had never been an agreed-upon set in Montana. If nothing else, the process aroused people to think a little bit about what their schools ought to be doing. It's a framework also for directing some activities from the state level.

Q: Were you able to provide services and leadership to so many school districts?

COLBURG: When I came into office, there were somewhere around 900 school districts. Montana had the distinction of having one out of 20 school districts in the country. It was ridiculous. So at our annual conference for school administrators, during the second spring of my first term, I talked about more effective school district organization.

Q: In general, did you find school administrators a cooperative group to work with?

COLBURG: As a group and in terms of me, not particularly. I had excellent relationships with individual administrators, but not the administrators association. I think that sprang from several things. It was a totally male group, and I think they had some problem with the fact that I was a female. During my entire eight years as superintendent, there was absolutely no local woman superintendent of schools in Montana, except for one year in a district of about 40 kids. There are no women high school principals or junior high school principals. Not only that, my opponent in 1968, with covert support from the administrators, distributed campaign literature saying, "the MAN for the job." Not only was "man" emphasized in larger type, but it was in red ink while the rest of the sentence was in black ink. That backfired. I think another reason for my problems with the adminstrators is that they thought, "For Pete's sake, what does she know about the public schools since she never had any administrative experience at the school level?"

Q: Has the state post traditionally been filled by a woman?

COLBURG: It's been held by a string of women since 1917.

Q: What do you think accounts for that?

COLBURG: Probably several things. In a way it's part of the frontier makeup—after all, the West is pretty recent history. When these territories were being settled, the men were out there knocking down trees and building cabins, getting herds together and plowing the land. So if any schooling was going to take place, it essentially fell to women. Virtually all the county superintendents in Montana are women—that's an elected position. They're also poorly paid; that may account for some of it, too. Anyhow, a tradition started. In fact, many of the western states have had women chief state school officers—Wyoming, Idaho, Washington, Arizona. With the succession of women elected in Montana to state superintendent, people have identified the job as a woman's position. There have also been some very strong women superintendents in Montana, highly competent and able women, and I frankly number myself among them. But especially in more recent years—Mary Condon was a superb state superintendent—lots of guts and lots of integrity. Harriet Miller was the same. I'd like to think of myself in that same class—willing to take risks.

Q: Do you see the male domination at the local level changing?

COLBURG: Somewhat, but still too little.

Some Reform Efforts

Q: Would you talk about some areas where you tried to bring about changes?

COLBURG: As far back as my campaign in 1968, I started addressing what I considered to be an increasing mess in our post-secondary vocational-technical centers. It was a curious situation. The state board had complete authority over programs and budgets, but hiring and management were controlled by local boards of trustees in the communities where the five centers were located. In addition, a one-mill levy was put on all the property in the county where the center was located. So you had these hybrid creatures sitting out there which created real

problems. So I came out against the one-mill levy and the local board of trustees, and proposed that they clearly ought to be state schools. That was wrangled and wrangled in the Legislature, and it became a horrendous business. The board was split and did flip-flops, and there were personal attacks on me and others. I also made some real boo-boos along the way. I fired the state director of vocational education, as well as his assistant, and my timing was absolutely crummy—during the legislative debate on changing the system. He was a nice guy who had to go, but I was really dumb about it. I should have fired him six months before. It just became a nightmare, to the point where I thought, "I don't want to see any more vocational educators in my life."

Q: Who was opposed to your position?

COLBURG: Mainly local vocational educators and their state Association of Vocational Education. Vocational education people are a breed apart, I'm convinced. They have a very close community and are single-minded in purpose, and I think this springs from a couple of things. On the one hand, they've always felt a little like neglected stepchildren—"poor us" and so on—so they really cling together. On the other hand, they constantly say, "Our mission and role is quite unique to the rest of general education, and therefore we ought to get unique recognition and status." I could never resolve those two things in my head. Anyhow, their members were clamorous, and they were up in those legislative halls all the time—it was incredible. In fact, I kept wondering, "How can they be up there all the time? What are the schools doing?"

Q: What was the resolution?

COLBURG: It has not been resolved to this date.

Q: Other reform efforts?

COLBURG: Yes, a number of happy circumstances arose in the area of school finance. In fact, it was one of those beautiful situations of both exquisite timing and opportunity coming into conjunction. In November of 1972, the people of Montana voted for a new constitution which, in the area of education, removed some strictures in the old constitution which would have made it impossible to bring about decent school finance reform. About the same time, the *Serrano* school finance case had

been decided in California. My staff and I knew that there were real inequities in Montana's school finance scheme that needed to be addressed, so we were ready with a bill when the Legislature met in January of 1973. It passed overwhelmingly, requiring every district to make an equal effort, with the excess money that was raised in wealthier districts coming to the state to be put in an equalization pot. There was a court challenge from one community with a lot of mineral wealth charging that the state was taking "their" money. The state Supreme Court upheld the law in a unanimous decision.

Q: So the net effect of the law was to increase the tax on the rich and to take that money and, in effect, give it to the poor?

COLBURG: Yes, and at the same time, everybody making an equal effort. As I say, the timing was great. All just beautiful.

Working with the Feds

Q: How did you handle liaison with your congressional delegation? Did you have a person in Washington?

COLBURG: No, there was no way that our budget would permit a person in Washington. For the most part, my executive assistant handled federal liaison, although that's not to say that I didn't talk directly with our congressional delegation.

Q: You had pretty good relationships with both Senator Mansfield and Senator Metcalf, didn't you?

COLBURG: Excellent, yes. Those relationships developed because I had been very active in the Democratic Party in Montana for a number of years. I worked very hard for Lee Metcalf when he first ran for the U.S. Senate and thereafter and I certainly always worked for Mansfield.

For the most part, if we had any problems, either my executive assistant or I would just pick up the phone and call. Other times, their offices would be calling us to say, "Dodie, would you or someone on your staff look into this particular situation? We've had this inquiry," or "The senator is interested in this piece of legislation going around the Hill. We think it might have a negative impact on Montana but we're not sure. Could you give us your response?" Of course, that's a delightful kind

of relationship to have, and we really tried to build on it. It was pretty easy, too, because there are only four congressional people to deal with from Montana.

Q: Did you visit Washington?

COLBURG: I went to Washington for meetings of the chief state school officers or when the U.S. commissioner of education would call a meeting of the chiefs. I seldom went to Washington on programmatic things.

Q: Did you rely on the regional office of the U.S. Office of Education?

COLBURG: No. Our regional office was in Denver, and it must have most of the deadwood that's been moved out of Washington for the last 20-odd years. It's just incredibly bad.

If you would call the regional office to get an answer, they constantly would defer the question, and you knew why—they had to call Washington to find out what to say. Well, why bother going to the regional office? I could pick up the phone and call Washington and so could the staff. We paid very little attention to the regional office and hoped most of the time that they would not try to foist their technical assistance on us. "Thank you but no thank you," we'd say, "We don't want your assistance, please."

Q: How effective was the Council of Chief State School Officers on the Washington scene?

COLBURG: I remember going to my first meeting of this august group in 1969 and being appalled, frankly, by what I saw. The council spent a good deal of time passing meaningless resolutions, like commending the state directors of public transportation. What they called policies, I didn't call policies. And they didn't have legislative programs. When I'd raise questions about Nixon cutting funds for libraries and other things, they would pat me condescendingly on the head—figuratively, if not literally. It was pretty much a reactive group at best. Over my eight years as chief, there was quite a dramatic change in the council, putting together a legislative program ahead of Congress and also trying to be ahead of USOE. The council started to develop polices that made sense. It started to really look good.

Also, with some good new chiefs testifying on the Hill, I think the Congress started to perceive the chiefs in a different light.

Taking Stock and Looking Back

Q: As you know, there's been a lot of discussion the last few years about ways in which state departments have changed and substantially improved. What's your view about Montana and other states as well?

COLBURG: I think the Montana state department has substantially improved, but I think that began far before this last ten to 15 years. It really began with Mary Condon's superintendency in 1949. Mary was a great and energetic woman who came in and saw an essentially caretaker operation. She thought that some things ought to be happening, so she moved quite aggressively and with quite a visionary posture. Harriet Miller, it seems to me, did much the same thing during her 12 years as state superintendent.

At the same time, of course, things were happening like NDEA in 1958, the Vocational Education Act of 1963, ESEA in 1965, and the vocational education amendments of 1968. Then other pieces of federal legislation, certainly Title V of ESEA helped, not perhaps in ways that would have been foreseen by the Congress and not perhaps in ways that folks like yourself and others might see. I say this because going off to my first meeting of the Council of Chief State School Officers, as I said before, I was appalled at the caliber of those people. It just seemed as though there were too many of them that had gone through the chairs and found a nice retirement home at the state department. I think that has changed, and I think Title V is one of the impetuses for that change, along with those other federal programs that poured in money.

State departments really came to be different kinds of creatures. I'm not saying "better"—but "different"—with far more responsibility and far more programs. I think they attracted better qualified people to apply for those positions than had been the case, say, 15 or 20 years ago. And you look now at the chiefs around the country and the changes seem to be quite dramatic. You had people coming in like Pitt and Nyquist, Fred Burke, Mark Shedd, Tom Schmidt, John Porter,

and Wilson Riles—to name a few. Those people had not been there in the '60s. We had the Max Raffertys and—oh my god, he's so forgettable I can't remember his name—he was from Missouri and about 190 years old. It was really a moribund group. I think when you have better quality of chiefs in state departments, you have the capacity to have better state departments overall.

Q: Did you have better quality chiefs because state departments had more responsibility?

COLBURG: I think so. It just looks like a more attractive place to be than it was before; there's more happening. And in fact these days I think state departments are where the action really is. Education is a compelling state interest, and a number of court cases have continued to underscore that fact. There's some federal impact on the states, but it's still a compelling state interest. The decisions affecting the schools are ultimately going to be shaped by the local school districts and next most profoundly by the state. It's not going to be the federal government. You have states that are ahead of the federal government—that used not to be. Special education is a dandy example. Massachusetts had its bill before P.L. 94-142; Montana did too and so did a number of other states. I think the perception that we're folks that live under rocks is changing.

Q: Could you share with us your ideas on what makes a good chief state school officer?

COLBURG: One is taking risks. That means having some courage, taking stands when you know that they really need to be taken, and not shying away because you want to be secure. Another is trying to give some vision to education in the state, shaping the vision through the state board, through legislative hearings, and through work in local school systems. Third, operating in an anticipatory mode—that is, trying to foresee issues, problems, concerns and, as much as possible, being in advance of them. Certainly, being a good manager, and that's not only a manager of your resources, but being a good manager of people, which essentially, as far as I'm concerned, means working with people rather than being overly authoritative.

Q: It's curious that you didn't mention being a good politician.

COLBURG: Oh yes, being a good politician. That means making sure that you're in touch with different political groups, and I'm not talking only about the partisan ones. Having good relations with the Legislature, and the executive branch. That's good politics.

Q: Looking back on your eight years in office, what are the things you'd like people to remember about your administration and the things you'd like people to forget?

COLBURG: Things I'd like people to forget? Some of the things I did concerning vocational education. I misjudged some things and could have gone about them better. I also regret that I didn't personally build a better relationship with school administrators. I didn't care for the way the association treated me, and so I pretty much gave them the same treatment in kind, and that was a mistake. I should have set up more personal meetings with different groups of school administrators, and I'm sorry that I didn't.

And then there was my reorganization plan during my first year in office—it was a big mistake. And I compounded that mistake by doing it all by myself. In fact, I worked on it at home. I had a big sheet of paper divided into little one-fourth inch squares. I had different colored pencils and my little boxes and circles and lines and so on. It was a thing of beauty, if not a joy forever. Well, I went to my management team and whipped out my handy-dandy new beautiful reorganization of the office. They did not jump up and down and kick their heels with joy.

Q: Why was it a mistake?

COLBURG: Because I had not thought through why I really wanted to reorganize the office and I had not involved anyone in the process. My motives were innocent. I had the authority to hire and fire so I wasn't reorganizing to do that. It was just my fussbudget nature, I guess. I said to myself, "Well, here's this program sitting over here with these other programs, and it doesn't seem to fit very well. It ought to go over here." I just had this notion that things didn't look rationally and logically arranged.

Q: Why do you think that when administrators come to a new job at both the state and the national level, they almost instinctively turn to reorganization first?

COLBURG: Probably, like me, because they just don't really think it out very clearly, and they think that that's the way to put their stamp on the institution. I don't really know all the reasons. I know it's a familiar trap into which people fall. What's incredible is the new superintendent in Montana, who was a member of my staff, reorganized the department very soon after her election. I thought, "History repeats itself."

Q: Let's go back to things you want people to remember.

COLBURG: One of several things was the shift to shared decisionmaking in the state agency operation. Another is the significant change we were able to effect in school accreditation standards, making them far more flexible and qualitative, rather than quantitative. A third is setting statewide goals for education. That may not have had all that much impact, but I think the process of involving Montanans in shaping those goals was good—it got them back to thinking what it is that they wanted schools to be about. Another thing was building the capacity within the state superintendent's office to play a brokerage function—a place both to get information and to link people with sources and resources. Another was the impact we were able to have on the constitutional convention, and our legislative successes—getting the kindergarten bill passed, getting the special education bill hammered out. That was really a fine piece of legislation. Those are some of the major things that come to mind.

Q: Dodie, why did you quit instead of running for a third term in 1976?

COLBURG: Oh, there were several reasons, but one overwhelming one. I didn't want to lock up my life for another four years; I felt very keenly that if I were re-elected, I would have a contract with people to serve the full four years. I also have this belief that people ought to have the good sense to know when to leave and when to stay, and I thought eight years had been a very good stint. I had worked very hard; I had enjoyed it. Things were looking rather good in Montana—in all areas except the miserable vocational education. And I heard from excellent sources that it was unlikely that I'd have a Republican opponent for a third term and, if I did, there was no worry anyway. Well, given all these things, it seemed like a good time to leave—while things were going well. rather than have people chase me out of town.

IV

John C. Pittenger, Pennsylvania Secretary of Education, 1972-1977

From Legislation to Administration

QUESTIONER: Pitt, why don't you start by telling us how you became state secretary of education.

PITTENGER: In 1970, at the age of 42, I had just been defeated for re-election to the state Legislature by 200-some votes and was feeling a little sorry for myself. I was the only incumbent Democrat to lose that year, which did not contribute to my feelings of self-esteem. On election night I got a phone call from Governor-elect Milton Shapp, who said, "What are you going to do?" I said, "I don't know." He said, "Don't make any decisions. I want to talk to you." About two weeks later I had breakfast with him at his home, and he said, "Notwithstanding the fact that you supported my opponent in the primary, I have decided to ask you to be my legislative secretary." I said to him, "The job I really want in your administration is secretary of education." He said, "You can't have that right now because I promised David Kurtzman that he could stay on for a while." And I said, "Well, I'll take the legislative thing on the condition that if and when the secretary of education position becomes vacant, you'll take me seriously for it." I did not exact a promise of employment. And he said he would do that.

My motives for seeking the education job were mixed. I come from a family that has been deeply involved in education; I

have taught off and on; and I had a deep interest in educational policy. But I also wanted some administrative experience. As a lawyer and then a legislator, I had always dreamt up things but not carried them out. I thought it would be good for my own future to get some administrative experience. And, thirdly, I thought the Department of Education was a mess. It was a stodgy place that viewed itself as a little bailiwick orbiting on its own. I wanted to do something about that and I had some hunches about what was needed.

So 1971 went by, and after the Legislature went home I said to the governor, "Are you ready to make a change in the Department of Education?" He was, and in October of 1971 the governor sent my name to the Senate. It was not a popular choice in some quarters. In fact, the Pennsylvania Association of School Administrators passed a resolution declaring me unqualified, denouncing the appointment, and urging the governor to reconsider. Senate Republicans blocked my confirmation for more than a year, I think to create a bargaining advantage with the governor. He didn't bargain, largely because we had worked out a system where the governor could make midnight appointments in the interim of the legislative session in December of 1971. So I was sworn in as acting secretary in January of 1972, and ultimately confirmed unanimously by the Senate and then sworn in as secretary in January of 1973.

Q: Why do you think the governor chose you for the job?

PITTENGER: I think the governor had the sense that the department was a fussy sort of place that wasn't dealing with the real problems, and he just wanted someone to shake it up. I don't think he had anything more precise in mind than what he called at the time "a clean broom." In fact, the day my appointment was announced, I was at the gubernatorial mansion and ran into Larry Margasak from one of the wire services. Larry asked the governor, "What are your plans for Mr. Pittenger and the department?" A gleam came into the governor's eye and he said, "Well, I'm going to buy him a collection of darts, and he's to go over there and throw a dart at every door in the building and wherever the dart sticks, he's to fire everybody inside." That was a front-page story in the *Harrisburg Patriot* the next day, and it did not, of course, endear me to the bureaucracy. I spent about a year living it down.

Q: How did the governor's view of what was needed match yours?

PITTENGER: His view was congruent with mine—without the aid of darts. The governor, as an administrator rather than an educator, was enamored with the idea of putting foxes among the chickens. He described me as the Denenberg of education. Now, you have to understand that Herbie Denenberg was the hyperactive insurance commissioner at the time who was driving the insurance companies bananas.

Managing the Department

Q: When you got over to the department what did you find and what were your strategies for improvement?

PITTENGER: When I came in, the secretary of education had under him three deputies who were called commissioners—for administration, basic education, and higher education. Pennsylvania is one of about six states in the country where the secretary has responsibility for higher education. Under these commissioners were several assistant commissioners and under them there were a bunch of bureaus. The department had 1,000 employees with only ten of them outside the civil service.

Q: What did you do?

PITTENGER: First, let me talk about those ten. I didn't fire anyone when I went over there. I said, "Let's see what we can do." Providentially, there were a couple of vacancies at the top, and I also decided to create a couple of personal staff positions. Eventually, I moved the deputy for administration upstairs into a new job and promoted my administrative assistant, Dave Hornbeck, and made him the number two man in the department. I also asked for the resignations of two top officials, but only after I'd been there for several months and was convinced that we were on different wavelengths. They were not happy. So even as to those ten there was a feeling, at least by one, that this was an outrageous thing, and he claimed that I asked for his resignation because he was a Republican. I replied, "The problem is you and I don't share the same convictions about educational policy." Then I promoted a good guy in his place.

He was a widely respected insider, and that helped a lot because I was bringing in some outsiders and I felt I had to balance the promotions. As to the other 990, I thought very seriously about trying to take the 15 bureau directors out from under the civil service. The more I thought about it, though, the more I thought that such an action would be a mistake during the first few months of my tenure, which already was being attacked as political.

We also did some reorganizing to get rid of some people, submerged others, and promote still others, particularly in the basic education part of the department. There were 15 bureaus reporting to the basic education commissioner when I came in. I thought that was kind of crazy, and we cut that down to six.

Q: What role did you take in managing the department below your executive staff? What did you do?

PITTENGER: A lot of things. The first year we decided the department lacked any sense of priorities. I remember during the first few months asking the research director about his priorities. He replied, "We just do what people come in and ask us to do." Well, I didn't think that was adequate, so we went through a very elaborate process where we worked out a series of 14 priorities for the department. It took a year and started with committees all over the department sitting down and saying, "Now, what do we think is important?" Of course, the bureaucracy is wonderful in that respect. They always manage to conclude that the single most important thing is to double the size of their own shop. One takes that with a grain of salt. What was a little depressing, however, was the lack of anything very imaginative coming out of the bowels of the department. I think the process was a good one. But if I were to do it over again, I would try to do it with a little less paperwork.

Q: What else did you do to strengthen management?

PITTENGER: We engaged in some very tough-minded budgeting. For example, about the second year we took an already tight budget and set aside half a million dollars for the accomplishment of the priorities—the best way to get people to do something is to bribe them to do it, to give them an added incentive. We just carved that right out of people's hides and told the commissioners that they would have to get along with less. This, of

course, occasioned some wailing and gnashing of teeth, but I think it worked pretty well.

In addition, I instituted some massive changes in the personnel system, which I think didn't work as well, chiefly because it took an awful lot of time. I got very dissatisfied with the civil service rating system which involved checking a number of boxes. It turned out there were only two grades—"excellent" was for people who were really quite good and "excellent minus" was for people who were not so good. I didn't think that was a very useful system. I wasn't trying to get rid of people; I wanted to get higher quality work out of the existing work force. We eventually worked out a very elaborate system where people rated each other in a narrative, responding to seven or nine questions about goals, successes, weaknesses, etc. Where it was done conscientiously it worked very well.

Q: State departments of education are often criticized for not having many blacks, minorities and women in their top ranks. Also, they are criticized as the final resting ground for old, tired school superintendents. Was that true when you got there and how was it changed?

PITTENGER: It was true when I got there. When I sat down with my top 40 people around a big table, I think there were probably two blacks and five women. When I went through the same exercise five years later, I think there were five blacks, 12 women, a Korean, and a Spanish-speaking lawyer—a much wider variety of people. We had a very tough affirmative action policy. You simply were not allowed to fill a professional vacancy without the approval of a quiet but very able black woman named Vercena McFarland. She would ask four or five questions: "Where did you advertise?" "Did you go to Cheney?" "Did you go to Howard?" "Did you consult the Women's Caucus?" I don't mean that we said, "You have to hire a black person, or a woman, or a chicano in this job." The question was, "Have you gone through a process that reasonably insures that if there are good people out there, you'll get them?"

In the vocational shop, we would be pretty tough. That was one of the most unresponsive parts of the department to the priorities that the governor and I had. So when they proposed to hire another white male from a German Lutheran background in central Pennsylvania, we would just say, "No,

you've got seven of them already in that division, and we think that if you're going to take seriously what we're saying about teaching the boys to cook and the girls to repair cars, it would be a good thing to have a woman there." We held up appointments sometimes for six months until we got people that we thought were satisfactory.

That's been an enormous change. That department was insular when I came there. The anti-Catholic prejudices were as strong as the anti-black or anti-female. You have to understand that the public school establishment in Pennsylvania is predominantly white, Protestant, rural, and the vast majority of superintendents come from that kind of background. There was enormous hostility, for example, to my support for aid to nonpublic schools. So it's a very interesting and complex thing. But I think we made a great deal of progress.

Q: Did you make progress in hiring people from backgrounds other than education, such as public administration?

PITTENGER: Yes, and of course incurred a lot of criticism as a result. But Dave Hornbeck, my executive deputy, studied to become a Presbyterian minister, then went to law school, and then came with us. Jerry Ziegler, the commissioner of higher education, had been at a continuing education center in Chicago, had been involved in the Peace Corps, then ran a Job Corps center in New Bedford, Massachusetts, and then was vice president of the State University of New York campus at Old Westbury—not the kind of background out of which commissioners of higher education conventionally came. We consciously sought people with different kinds of backgrounds.

Q: You said that you went into the department without any administrative experience. Looking back, can you talk about the skills of a good manager, and which of those skills you had and didn't have?

PITTENGER: When I was appointed, Duke Kaminsky, a rather dour reporter for the Philadelphia Bulletin, said, "How many people have you ever bossed before?" and I said, "Half." I'd shared a law office with one other guy and we had one secretary. I think the number one skill is selecting good people. Number two, you've got to provide a situation in which the people can do good things. It means you've got to be supportive and give them resources. You've got to put the right people in the right slots.

As part of that, it's important to surround yourself with people who are critical and supportive at the same time, and that's a real tough job. You don't want to hear the bad news at a press conference or from the governor. You better have a staff that says, "Hey, boss, we've had a real problem down in this outfit, and you better know about it." At the same time that they're bringing you the bad news, the strains of office these days are such that they've got to be people who can pat you on the back every once in a while. That reminds me of a story about Dave Hornbeck, who would come in at five o'clock each day with a long face and tell me about some new disaster. Finally one day I exploded and said, "Dammit, why don't you bring me some good news for a change?" He rolled his eyes and walked out. About a week later he came in with a big smile and said, "Guess what? The pigeons aren't shitting on the window sills any more," and I said, "Why are you telling me that?" He said, "Well, you wanted some good news, and that's all I can think of."

Priorities--you can't do everything, and especially you can't do everything yourself. The capacity to delegate, and to delegate so that people are clear about what it is you want done so that they don't have to keep coming back to you all the time. A sense of the political realities, of what can and cannot be done. I go back to that business of taking the bureau directors out of the civil service. It would have been a desirable thing to do, but it would have caused too much flack.

Q: If someone who was about to become a state secretary of education asked you for advice on managing a bureaucracy, what would you say?

PITTENGER: There are several bits of advice you could give them. One is don't reorganize for the sake of reorganizing. I don't think I reorganized just to push boxes around or to flex my muscles, but I know this is a temptation on the part of new public managers, and it needs to be resisted. I think the reason they do it is because they're not sure that they can do anything else. It's a way of putting your imprimatur on the department and showing that you're the boss. I also think some public managers are genuinely convinced that by moving the boxes around, you're somehow going to get more efficient work out of the outfit. The negative side is that any rearrangements spill some blood. People are promoted or demoted and jobs are made more or

less interesting—those things are painful to people. You'd better not incur those kinds of costs unless there is a pretty palpable advantage to be gained from it—and sometimes it seems to me there is not.

My second piece of advice would be to set some specific priorities. The tendency in public life is to set priorities that are either too vague or are written in terms of processes rather than results. If someone says, "We will improve communication with the field," I want to know what he expects to get out of it. Coming into the department as an outsider, I didn't have very dogmatic ideas about priorities. I preferred to let my views be shaped by what I saw and what people said, and by some general convictions of my own. Those bits of advice will do for the moment.

Relationship with State Board

Q: Would you talk about your state board and your dealings with it?

PITTENGER: I knew very little about the board when I became secretary. It had not been terribly visibile, although I think it became more so during my tenure. It's a 17-person board with the same range of responsibilities as the department itself—kindergarten through Ph.D., before and beyond. Unlike a number of other states, however, I had no responsibility to the board for administrative matters like personnel, organization and budget. On these I reported directly to the governor, who appointed me. The state board was simply a policymaking body, and I of course had the responsibility to carry out its policies. The state board also was not involved in quasi-judicial stuff, like in some other states. Another important thing is that board members were gubernatorial appointments. The governor consulted me about these appointments—and this was known to the board—but he didn't always take my advice.

Q: What kinds of people were selected to the state board?

PITTENGER: The governor said to me early on, "Do you want strong people or weak people on the board?" And I said, "Strong." Some people would dispute this, but I didn't want a rubber stamp board. I wanted a board that would be useful, you know, one

that would argue with me from time to time and that had some stature. We tried in the Shapp administration to do many of the same things for the state board that we had done in the department. When I left, there were, I think, four blacks out of 17 on the board, and six women. I also tried to get away from the idea that the board was a constituent assembly with representatives of each interest group.

Q: What did the board do and how did it work?

PITTENGER: The tough work of the board was done by two councils—the Council of Basic Education and the Council of Higher Education. They would come in bimonthly—every month at the end of my tenure—on a Wednesday afternoon, and we would have dinner and an off-the-record palaver in the evening. Thursday, the two councils would meet separately and I would shuttle back and fourth between them. When I first became chief executive officer of the board, I found dockets that contained items like, "Does the board approve the request of the Susquenita School District to waive the requirements of subparagraph B of Chapter 4 of the building regulations in order to build an elementary school in which four windows are located below ground level?" After watching that for about six months, I said to the board in one of our Wednesday evening sessions, "Hey, wouldn't you rather have me and the staff spend time on these things? Don't you trust us to decide about Susquenita?" And they said, "Oh, yes." You see, I think my predecessors filled the docket up with that stuff in order to keep the board away from real policy. "Now," I said, "I want you to deal with real policy." Well, they were delighted; we cleaned the docket of all that stuff, as much as we could. We would talk about policy issues, and I can't remember a single irreconcilable issue. I would just compromise.

Q: How did the board become visible during your tenure?

PITTENGER: They became a pretty active board, particularly on the basic education side. The climax of their notoriety came in September 1975. On the same day they adopted a very controversial student rights and responsibilities document and also controversial regulations on physical education. I wish I had arranged things so both these events didn't happen the same day.

The public school world was in an uproar about the student rights documents, and a bunch of school boards got a lower

court to overturn the regulations, saying the state board had no authority to deal with student discipline. But in the fall of 1978, long after I left, we got a marvelous 7–0 decision out of the state Supreme Court reversing the lower court and taking a broad view of the powers of the state board. The school boards, of course, are furious and are planning to challenge the document piece by piece.

On the same day in 1975, the board adopted new physical education regulations which required equal treatment of women, and which said, rhetorically, that "intramurals are as important as interscholastics, and little kids are as important as big kids." Well, that was another great brouhaha. As a result chiefly of those two actions, the state board was much better known when I left than it was when I came.

Q: Were these regulations seen as your handiwork?

PITTENGER: Yes. There was a very widespread perception that I had twisted the arms of the state board again, but that was absolutely wrong. I had said to the board that the physical education regulations "are a can of worms, and you're going to get a lot of criticism, and if you don't want me to get into this, I won't," and they said, "Mush on."

Q: Did the board back you publicly?

PITTENGER: They were awfully good about that. I remember one fascinating dinner with the School Boards Association, my principal antagonist. It was supposed to be an off-the-record and friendly session with the state Board of Education. Well, after the usual toasts, the assistant chief of staff of the association proceeded to attack me for half an hour. The brunt of my defense fell upon a black board member and lawyer from Harrisburg. Jim Rowland got up and said, "You have made a serious mistake. If you think the secretary is out on his own on these things, you are wrong. He has the unanimous support of the board on these issues."

Q: State boards of education have been criticized for not having independent policy staff. What's your view?

PITTENGER: My board had three people, a top level executive secretary who was paid a decent salary, and two people who were essentially expediters. But they were not policy staff. At one point

three or four of the younger people on the board started saying, "We ought to have an alternative view to the department." The older hands on the board said, "Oh, don't be foolish; we have enough work to do," and that view prevailed.

I don't see the need for policy staff. They could get any kind of information they wanted out of us. For example, I had assigned my director of vocational education to be the staff guy of a board committee. After about two years the chairman of that committee—a very able man who was the personnel director of a steel company out in the western part of the state—came to me and said, "This just isn't going to work. This man is not responsive. When we ask him for information he gives us the information that he wants us to have, not the information that we've asked for." So I replaced him with a Korean fellow who was the director of my management information system. I said, "Seon, you're the permanent staff guy that they need," and the board was very pleased. Seon didn't have any convictions about vocational education whatever. He was simply bent on providing the committee with the kind of information it thought it needed.

Q: Some people question the need for a state board of education. Similar boards don't exist in other policy areas. What's your view?

PITTENGER: My answer is that you would have to create something like it. What are the alternative sources of legitimate authority? The secretary? No, you just can't put that kind of authority in one person; that just won't wash. The Legislature? The notion of them grappling with things like required courses to be a teacher boggles the mind. Leave it up to the 504 locally elected boards? I'm much less of a centralizer than some people think, but I would not be keen about 504 certification policies and 504 curricula, even though I'd be willing to leave a lot more detail to local people than is implicit in our current regulatory scheme. As to other policy areas, the curious thing is that increasingly they don't operate without some kind of legitimating board. One of the reasons for the plethora of advisory committees and environmental hearing boards was, I think, precisely a sense on the part of the Legislature that it was unwise to have the power they were exercising in one person's hands.

Working with Governor Shapp

Q: What was your relationship with Governor Shapp?

PITTENGER: Governor Shapp believed in enormous delegation of authority to his cabinet—too much, I think. If the other members of his cabinet had served him as loyally as I did, there would have been a lot less trouble. Having come from his staff, I had a very special relationship with him and his staff. Anyhow he paid very little attention to educational policy, other than pushing a few nostrums: a National Educational Trust Fund and putting Bureau of Employment Security offices in every high school. As a result, I had a very free hand. But I tried to keep him out of trouble. Whenever I was going to make an unpopular or difficult decision, I would go talk to him. For example, I decided after much travail to issue a teaching certificate to an avowed homosexual who had just graduated from Penn State. I went over to see the governor and said, "This is a very difficult legal, moral and political decision." He said, "Well, what are you inclined to do?" I said, "On legal and moral grounds, I'm inclined to think that the man is entitled to a certificate." And he said, "Okay. Go ahead and give it to him." And that was, in general, his response to things. His staff were grateful that I would try to keep them informed.

Q: Didn't you once go into his office and find him hunched over the desk going over maps?

PITTENGER: When I was his legislative secretary I came in one morning and he was studying an enormous topographical survey map of Lancaster and Lebanon counties—this was at the time we were fighting to get the income tax through. He said, "That darn game commission—they're going to build a waterfowl refuge in Middle Creek, and they're going to flood this guy's house. I've been up all night studying the contours here, and I've figured out that if they move the dam downstream 150 yards, the water will only come to his back step. I want you to go into Commonwealth Court this morning and get an injunction against that dam." I said, "Governor, that issue has been litigated for seven years; he's lost in every court." "Well, you call up and tell Doc Goddard [secretary of environmental resources] that I order him not to go further with that dam until I work this thing out." I said, "Milt, we are trying to get an

income tax through and really, I think that's where your mind ought to be."

That prompts me to say something else. I think in some ways I failed the governor. Governors and senators don't want you to tell them what the problem is—they know most of the time. They want you to tell them the solution. I say that because universities are turning out a bunch of young women and men who are very good at something called "policy analysis," which means you write a nice memorandum that says, "Dear Governor, you have the following five options with respect to the school subsidy bill." I was not as helpful sometimes to the governor as I should have been, in not only laying the problem out, but saying, "Now, Milt, here's what I think we ought to do. I'll help you do it, and I'll take some of the flack that's involved."

Q: Would you describe the budget process and the governor's involvement?

PITTENGER: It's very much like the federal one. My bureaus and the colleges would come in with their requests in the early fall. We'd go over them within the department, then ship them over to the governor's budget secretary in November. They would come back to us and we would have internal hearings. Then, the governor's budget would go to the General Assembly in February, and I would defend it at public hearings.

Q: How were differences between you and the governor's staff settled?

PITTENGER: They usually won. I'd fight with them quietly, but I was the governor's guy and never would I publicly disagree with him. Once the figure was in the budget, that's all I was allowed to fight for. Now, Aaron Wildavsky has a chapter in his book on the budgetary process about the art of giving an answer at a budgetary hearing that indicates that you're bleeding at every pore while not betraying your boss. I did that on occasion, but on the whole we were very loyal.

Q: Pitt, as you know, there's a lot of stuff written about the best way to select a chief state school officer. You were in one of only five or six states with the chief appointed by the governor—rather than elected or appointed by the board. What difference does it make?

PITTENGER: Wilson Riles, the chief in California, and I had a wonderful, slightly tipsy argument about that once at a chiefs' meeting some years ago. We wound up embracing each other and agreeing that it was a question of making whatever system you had work. I don't think there's a right way and a wrong way. There are plusses and minuses with any system. I'm more interested in whether the chief understands the nature of the structure that he or she is dealing with and the political configurations and forces in the particular state. It's like reorganizing departments; if I were a governor or a legislator, I wouldn't invest a lot of scarce chips in a structural change in anticipation that it would somehow produce policies that make all the children marvelously literate.

Working with the Legislature

Q: Would you describe your dealings with the Legislature?

PITTENGER: Oddly enough, I did a lousy job with the Legislature. When I quit in 1977 a local paper asked a very perceptive school superintendent, Ray Dunlop, "What do you think of Pitt's five years?" He replied, "It was a very strange five years. We thought he would be politically brilliant and administratively terrible, but he was politically very ineffective and administratively very good," or words to that effect. I was relatively unsuccessful with the Legislature since my three major pieces of legislation failed: a new school code, an open college system, and a revision of the state college governance structure. Now why? In part because I relied too much on my standing with the Legislature and the fact that legislators thought I was a good guy. They did in the beginning, but the longer I was there, I used up that pile of chips and I didn't restore it. Second, I worked for an administration that became increasingly unpopular, so I had no chips from that source. Third, it was a time of terrible money problems. And fourth, I was stuck with a situation where, oddly enough, my legislative people were civil service. They were decent people who worked hard, but they didn't have a flair for working with the Legislature. I think it was a case where I thought I knew the political side but was weak administratively, and so I put a lot of time into shoring up my weaknesses. In the process, I eroded a potential area of strength.

Q: Did you have any successes?

PITTENGER: Yes, we did pretty well on the budgetary front. In a very tough world we managed to hold our own. The single most important thing that happens in government is you spend money. I'd rather have dollars than a piece of legislation any day of the week.

Q: Did you have latitude in your budget?

PITTENGER: I would get a lump sum of around $13 million called "general government operations." I could spend it as I pleased, within civil service limits and all that. I'm horrified when I look at other states with narrow line items. I had great flexibility.

Q: What role did the legislators take in staff hiring?

PITTENGER: Here the fact that the department was 99 percent civil service was a blessing rather than a curse. We followed the rules. The legislators accepted that, with only a few attempts to bring pressure to bear. My situation was very unlike that of Greg Anrig, the chief in Massachusetts. I remember discussing with him a vacancy he had in physical education a couple of years ago. I think every member of the Massachusetts Senate had a football or hockey coach who was a candidate for the job. That didn't happen to me.

Q: Would you say the Legislature did a minimum of meddling in department and board activities?

PITTENGER: Yes. There simply hasn't been that tradition, unlike other states where legislatures are much freer to meddle. I may have inadvertently undermined that by bringing the department into the mainstream of political activity. That's something we'll only know with time.

Education Interest Groups

Q: Do you want to talk about the education interest groups you dealt with in Pennsylvania?

PITTENGER: I had a different view of the interest groups than my predecessors. My sense is that my predecessors looked upon themselves as "brokers"—they would let the interest groups fight it out, maybe referee the fight, then take the agreed solution and hawk it as department policy. I thought I ought to be a

player and not an umpire, in particular a player for kids. That upset a lot of people. But I didn't see the interest groups paying much attention to kids—the rhetoric was good, especially the unions were always talking about kids. They just didn't care about them, I thought.

Let me sketch the scenery for you and start with the teachers. There were two groups, the Pennsylvania State Education Association, PSEA, which was the NEA affiliate, and the American Federation of Teachers, AFT, which was the AFL-CIO affiliate. PSEA is by all odds the dominant force with 100,000 members and representing everybody except Philadelphia, Pittsburgh, Scranton and a couple of other districts. They're tough. They have a budget of about $10 million a year, a full-time staff of 160 or 170 people, and each year put an average of a quarter of a million dollars into political campaigns. I used to think of them as a government in exile. I knew that every time someone on my staff made a decision, there was someone at the PSEA second guessing them. My relations with PSEA were neither affectionate nor hostile. I must say on the whole they were pretty professional. They were well informed, had an excellent research staff, and they had a computer that often worked better than mine. We would fight, but we fought issue by issue.

They were also very cynical. Every year they would endorse about 170 Democrats and Republicans in the general election, many of whom had never lifted an eyebrow for public education. Why? First, because the PSEA knows they're going to win and they want to be able to say afterwards, "Now, we endorsed you, and that's why you won." Second, then they could print these articles in their weekly paper, the Voice, saying, "92.6 percent of endorsed candidates carried the state." The general press looks very uncritically at that stuff and the Philadelphia Inquirer would solemly report to its enormous readership that PSEA once again demonstrated its dominance of the legislative halls. Well, that's just self-fulfilling stuff, really, but it works.

Q: It sounds a little bit like what some administrators do when they establish priorities. What about other groups?

PITTENGER: The AFT has a very different role. It represents the big cities, but had no Harrisburg office. They had to be reckoned with on

Philadelphia issues and while the Democrats were in control of the Legislature—you can't write a subsidy formula without help from Philadelphia. They didn't play an active role on issues other than finance.

My relationship with the School Boards Association, PSBA, was an unremitting disaster almost from the beginning. I think things were set off when the department decided to intervene in a school strike. We intervened solely on the question of whether the district could have a school year of less than 180 days. You see, school districts and unions would often make a deal that involved fewer days of school. I just said, "I'm not going to be party to those deals." Not that 180 days is sacred. If the Legislature changed it to 170, okay, but the law says 180 and I'm going to enforce 180 and protect the kids. Well, the executive secretary of the School Board Association came to see me about our court action and was furious that I had not consulted him first. My predecessor would not take a major step without all this consultation. I told him, "I've taken an oath to uphold the laws of Pennsylvania." Although I may have been partly to blame for our poor relations, some of the difficulty rested with the particular nature of the Pennsylvania School Board Association itself. It was controlled by right-wing ideologues who had close ties to the right-to-work movement. They were bitterly opposed to teacher unionization and in a way were delighted with all our strikes because they could go around the country saying Pennsylvania was an example of how not to do things. It was just one long blood bath.

There are three administrators' organizations: The Pennsylvania Association of School Administrators and two principals' associations. Beginning with a somewhat testy reception because I wasn't a professional educator, I developed a relationship with them that I'd describe as decent—not warm, but not unremitting hostility. With honorable exceptions, they were not a very courageous bunch. A lot of times they agreed with me but the School Board Association was so hostile that the administrators simply couldn't afford publicly to be in agreement with me. So you'd get this sort of thing. Administrators would come up to me and say, "Hey, we know we're not doing well by the girls in physical education. We know that there's rampant corruption and that grades are being falsified to get kids in college and all that, and we really are glad you are

tackling this. But we can't be publicly supportive." I'd get kind of angry after a while. These administrators had doctorates in education, and they wanted to be treated as professionals and paid as professionals. Why should I be alone out there defending what I think are professional standards and being denounced by administrators as a politician and a meddler? After a while, I began saying, "Who's the professional and who's the politician?" Nevertheless, I went out of my way to create liaison groups. We had a group of administrators that came in and met roughly every six weeks. Probably at the end of my five years our relations were better than they were to begin with, but the administrators never got out front on stuff.

Q: How did the role of the interest groups change while you were Secretary?

PITTENGER: There were two changes. First, whatever consensus existed among the interest groups had been pretty well destroyed by teacher unionization by the time I got there. There had never been the kind of formal coalitions that existed in New York and Illinois, but there had been a set of understandings. However, we did put together ad hoc coalitions. For example, if it was a question of overriding Mr. Nixon's veto of the HEW budget, we'd all go down to lobby on that. But there were few things that the interest groups agreed on and no long-standing agreements. The second change was the role of the department itself. As I said earlier, I wasn't content with the brokerage role. I'm not saying it isn't useful, but it just wasn't a role I was temperamentally suited to play. I just felt strongly that until somebody spoke for children, which didn't always coincide with lobby interest, that there was a gap on the scene. I knew that my stand created problems on the local level, especially with the school boards, and so I made strenuous efforts to get out in the field.

I visited every one of the 29 intermediate units [region-based school service centers] three times in my five years—an enormous expenditure of time and emotional energy. I would leave the capitol in the governor's plane at seven in the morning, have breakfast with the intermediate unit director and his staff, go to a school, meet with the student advisory board, and have lunch with the teachers' union. All the administrators in the area would meet in the afternoon for a session, and then I'd

have a press conference. Often as not, there would be a delegation of indignant citizens opposed to, say, the building of the new junior high school, and I would hear their laments. Then I'd go shave and change shirts at a local motel before going to a cocktail party for 150 school board members from five counties who had come in for a speech and a question-and-answer period. Then I'd go to bed and do the same thing the next day.

I think these visits served a very useful purpose. They kept the volume of dissent from reaching unmanageable levels. They didn't make people happy with me, but just defused the situation enough to allow us to move forward from week to week and month to month without the thing culminating in a demand that I resign or be impeached. What I found after my school board thing in the evening—and if this happened once, it happened 50 times—was that some grizzled farmer would come up and say, "Well, young man, you're not nearly as bad as I thought you were." I knew exactly what he was saying. He'd been reading PSBA's propaganda for three years, and he'd had a picture of a guy with horns. While he didn't agree with a lot of my ideas, he could see, after two hours in my presence, that I was a rational and thoughtful guy. There were times when I bitterly resented the amount of time and energy that these visits took. But I think I had to do it.

State-Urban Relationships

Q: Could you talk a bit about the relationships between urban areas and your department. The academic literature suggests that state education agencies in the past have been oriented toward rural areas.

PITTENGER: That rural orientation is certainly true. A source of frustration to me was that, on one hand, the governor and the top leadership of the department were by temperament extremely sympathetic to Philadelphia and Pittsburgh. But the Philadelphia school district was a morass of corruption, incompetence, and bureaucracy. In the end, I despaired of being able to intervene effectively.

I was in the position where Philadelphia wanted help from us, but I never could provide that help in ways that would force them to do things that I wanted them to do. For example, we

wrote a draft regulation for ESEA Title I requiring school districts to focus their money on the schools with the highest concentration of kids. Philadelphia was behaving politically, as it always does, and was spreading the money around, and the city mounted an all-out attack on the draft regulation—the mayor, the superintendent, the board. They said, "The secretary is going to take all the money away from your schools." Also, there was always a racist undertone: "He's going to put it all on those blacks up in North Philadelphia." That was never said, but it was there. All this made the governor nervous. He had other fish to fry, of course.

One thing that made me particularly angry was that I tried to get HEW to write me a letter saying that this is the kind of thing that I was supposed to be doing. Not only would HEW not write that letter, they then turned around and sued me and Philadelphia for $27 million for not doing the same kinds of things that I was trying to do! My contempt, my absolute contempt for the federal bureaucracy, stems in part from that kind of thing. It was just a no-win situation. What I lacked was the political skill or the political muscle—I'm not sure which—to accompany my offers to help with enforceable demands.

The Washington Scene

Q: You talked about Title I and your relationship with the feds. Would you say more about your relationship with Washington?

PITTENGER: I worked very hard down there because I thought it was important—the feds are playing an increasingly important role. I set up an office in the NEA building, right next to the chiefs' office, so my people could relate to the chiefs' staff. We were in a pretty strategic position: Dan Flood was chairman of the HEW subcommittee on appropriations; we always had several Pennsylvanians on the authorizing committee in the House; and Dick Schweiker was for several years on the HEW subcommittee on appropriations and on the human resources committee. I always had an elaborately planned luncheon for the delegation every June. I'd take along two or three staff and go down there and say, "Look, here are the problems we're facing in Harrisburg. What kind of mail are you guys getting?

How can we be helpful to you?" A number of times they would say to me, "Gee, it's so nice to have a cabinet officer come down here and not demand $50 million more in flood relief or $100 million in black lung payments and so on." That worked well. So, on that level, I was pretty good.

Q: How about the Council of Chief State School Officers?

PITTENGER: After the governor announced my appointment, I went to see Carl Marburger, the chief in New Jersey, and spent a wonderful half day where he told me about all the problems I was about to encounter. I remember asking him, "If I have some time to spend on the national scene, where do I spend it—Education Commission of the States?" He said, "No, they don't do a thing. If you're going to put in time—and I'm not sure it makes sense—put it in with the chiefs." He said, "My sense is that they're changing and that there are some new and younger people, and that your presence would be welcomed and they need you." So I regularly attended the chiefs' meetings. Early on, I decided that I'd never be a chief long enough to get on the board, so my most useful role would be behind the scenes. I helped to put together a coalition of moderate and liberal chiefs who had some fairly stunning successes in electing people to the board and then to the presidency of the organization. I think it is fair to say that we brought about a major transformation in that organization over the past five years. I wasn't alone in that, but I was the politician in the crowd.

Q: When you had something you wanted accomplished, did you deal directly with your delegation or did you act as a member of the council?

PITTENGER: I tried to be a team player. I remember once chewing out one of my brethren—who will remain nameless—because the chiefs had taken a position on some issue related to the handicapped, and then he decided that his state required a different approach. He got his senators to put in an amendment, and I called him up and gave him hell, saying, "We are never going to be effective on the Washington scene unless we can learn to subordinate some of our individualistic impulses." I think we made a little progress on that front in the five years I was in office.

Q: Did the chiefs have a major influence on federal policy?

PITTENGER: Toward the end of my time, there was a slightly greater sensitivity to state and local problems. I suspect that resulted less from the chiefs than from the climate of opinion that's beginning, thank god, to change a little bit. Some congressmen are having an attack of modesty about their ability.

Q: Did your involvement in Washington help you at home?

PITTENGER: It built credibility with local people who were just as mad at Congress as they were at me. The only thing was that I would make a speech criticizing Congress and some superintendent would inevitably pop up and say, "Mr. Secretary, we feel the same way about you that you feel about the Congress of the United States." To which I wound up usually saying, "*Touché*."

The Federal Role in Education

Q: Looking back, could you share with us your perceptions of the appropriate federal and state roles in education? What's wrong with what's being done now? What should be done?

PITTENGER: The federal role is an important one, but on a limited number of fronts. First, research and development. There isn't any state department in the country, with the possible exception of New York, that has a research operation that's worth a damn. That's either going to be done in the universities or at the Washington level, so I've been a staunch supporter of NIE through stress and storm. Second, addressing inequalities in our society. If I could salvage one thing out of ESEA, it would be Title I. I think the Carter administration has its priorities absolutely right on that—put the money in Title I because there is still lingering hostility towards blacks, the poor, and those who speak other languages. These problems have constitutional roots, and I think it is very important that Washington act vigorously on this scene. There's a third area that is a little harder to describe—let me try an example. The teaching of foreign languages is a shambles in our society. If we don't have people coming out of our colleges who are able to speak Arabic and Chinese, let alone French and German and Russian, then this country's going to be in bad shape. That's a

national priority. That's just not an area where you look to state legislatures; that's just not their problem. I could see vigorous congressional action on that kind of thing.

On the other hand, the feds are messing around in some stuff where they ought not to be. First of all, there are a whole bunch of little programs—the Drug Abuse Education Act, which is one of Mr. Brademas' favorites—which is just money down the tube. The pretension of Congress that it can do something about drug abuse in the schools. I'm not sure who can, but I know Congress can't. Second, there are areas like the handicapped. In principle, I don't object to a federal role because it is tied to constitutional rights. But I do object to the scale and the minutiae of the involvement. I think Public Law 94–142 is going to be seen in retrospect as very unwise in some of its detail. What's happened is that Congress tends to legislate in terms of the worst case. You go down there and they tell you, "Oh boy, we got this terrific 145-page bill on the handicapped," and you say, "Well, what is it that we're not doing in Pennsylvania with the handicapped now?" And they say, "You guys aren't so bad, but boy, Arkansas is terrible." It's usually Arkansas or Louisiana; Mississippi seems to have come up in the world. Well, there are doubtless areas in which you finally have to say to Arkansas, "Get moving." I question whether you have to saddle Massachusetts and Pennsylvania and Illinois and Oregon with the same stuff.

Q: What's your alternative—differential treatment of the states?

PITTENGER: That's a possibility, although it's politically difficult to do. I'm not sure my suggestion is politically possible either, but we've created a world in which, if you don't get what you want at the states, you go to the feds. I'm sure if the United Nations had more authority, they'd go there. At some point, somebody has to be worried about whether the system is working, and it really isn't. Somebody has to have the political courage to say to the handicapped lobby, which is immensely powerful now, "The principle of equal access is important, and we at the Washington level will fight to ensure that. We will help financially if we can. But we really have no business supervising the quality of education being received by every child. That's just not an appropriate federal role." Nobody down there is saying

that. Even the conservatives in Congress aren't saying that. And an argument against a cabinet-level Department of Education is that it will sanctify the tendencies that I see there already. I'm not optimistic about reversing that. I think we live in a society where we have a press that is very adept at spotting problems—I might say sometimes even at creating them. We have a highly educated population, that, once a problem has been identified, demands that it be solved. Therefore, there are strong pressures to go to Washington to solve them. The notion that although there may be a problem, that maybe in the long run it is unwise to look to Washington, isn't likely to get very sympathetic attention.

Q: Where do you see that leadership coming from?

PITTENGER: I don't know. Congressmen have often said to me when I complained about some feature of a bill, "Why should we listen to you? You're the secretary of education; you're an interested party." And they would give far more credence to the views of the Council for Exceptional Children. I think that's somewhat paradoxical. I am sure I am in some sense an interested party. But I also happen to be part of the machinery that has to carry out whatever they are doing. And the longer I'm in this business, the less confident I am that you can tell people what to do and have it work very well, unless what you're telling them to do is pretty much, with some exceptions, the direction they want to go. And nobody in Washington looks at what I'd call the cumulative problem. We live in a world, fostered greatly by the courts, where once you have admitted the existence of a problem, the enthusiasts then assume that every solution they recommend is *ipso facto* justified. I have a great deal of sympathy for the local school people, who are not evil people, who say, "You know, it isn't that the treatment of minority children isn't a problem, and it isn't that discipline isn't a problem, and it isn't that vandalism isn't a problem. It's just that the cumulative impact of dealing with what you've put on us is very severe." I have a saying that if you make it impossible for people to do evil, you also make it impossible for them to do good. And we need to worry more than we do about whether we have surrounded school people with so many restrictions designed to prevent them from doing bad things that it's now impossible for a superintendent to provide educational leadership to his district.

The Courts

Q: You mentioned the courts. Could you say more about that and the role of lawyers and due process procedures?

PITTENGER: Harvard Law School—people like Abe Chayes—are turning out a bunch of young men and women who are convinced that the courts are where justice is to be found. If you can't get the politicians and the bureaucrats to do it, you just go into court. I think that's a mistake. Take, for example, due process for the handicapped. I'm increasingly dubious that legal proceedings are a useful way to decide whether a deaf child is in the right setting—for a bunch of reasons. First, most legal decisions are based on the notion that there is a right and a wrong answer, and it's just a question of getting at it. I'm not sure that the state of the art in handicapped education permits people to make these distinctions. Second, it's very expensive. Third, to make intelligent decisions about those questions you have to know something about the total available resources, and a court doesn't. A judge decides a case in terms of that case, which in a sense is what he's supposed to do. But if he says to a school district, "You've got to spend $25,000 educating Susie Q," he's really saying you've got to raise the tax by one mill or you've got to spend $25,000 less educating some other people. He's not in a very good position to make some of those decisions. So my instinct is to make a rough and ready distinction between access—which I would be willing to use the courts to extend—and quality—which I don't think the courts can resolve.

Q: Do you see the use of legal procedures continuing?

PITTENGER: One of the few occasions when I publicly disagreed with my own state board was when they extended due process to the gifted and talented in 1975. I thought the move was absolutely bizarre, and it is having very difficult consequences for the department. You could persuade me that there has been systematic discrimination against the handicapped. But when you deal with the gifted and talented, what you get is some suburban family that thinks their daughter is a Nadia Komenich and their son is a Yehudi Menhuin, and if the local school district doesn't provide a gymnastics teacher and a violin instructor, the children are being denied equal protection. Does that make sense?

Q: There are rumblings in some suburban communities in Massachusetts about trying to extend due process to normal children, making the argument that less money is being spent on normal children as more money is being spent on handicapped children.

PITTENGER: That's right. You know, if the courts do that then we're right back to square one where we started. We're back to where I think we ought to be. It essentially becomes a political and legislative issue. The school board sits down and says, "We've got $2 million. How can we spend that $2 million in ways that are roughly satisfactory to everybody?" Just as at the state level, the legislature ought to be free to say, "What are the claims of handicapped and vocational and just plain ordinary kids, and how do we weigh all those things?" I don't know any substitute for the political process to resolve those kinds of questions—god knows, not the courts.

The State Role in Education

Q: How about the states—what should they be doing and not doing?

PITTENGER: If I had it to do over again, I would do one thing that I didn't do. I'd sit down at the beginning and I'd say, "Now, what are the really important things for the state to do? What kinds of things, if we don't do them, nobody's going to do them?" A testing program of some kind is one of them. And then I would say, "Now, what can we afford to let slide?" and there's a lot of stuff we could afford to let slide. I would say to the school districts, "I'm going to make you a deal. Here are five things in which I believe very strongly. Now, you're bloody well going to do them. And then here's some other stuff on which I'll make oracular statements from time to time, but I just think you can figure out better than we can how to do it. God bless you, and if we can help you, fine."

Doing that, though, would have been tough because there are all kinds of interests—bureaucratic and political—in favor of the status quo. If you propose *not* enforcing something, there's a couple of guys in your department who will say, "There goes my job." Moreover—and this is a fascinating fact of life which

I didn't understand at all—do you know who outside the department will be pounding on your table as soon as you say, "Let's enforce A but not B?" Teachers' unions. They don't care about salaries these days; it's jobs. I'll give you an example. We have an idiot provision in the school code which says you've got to have a school nurse for every 1,500 kids. Thank god, it's the only place in state law where we mandate a ratio of that kind. Other groups—the guidance counselors—are always waiting. Anyhow, I tried to abolish that in the last school code revision. You would have thought I had advocated children dying of dyptheria. I said, "I think local people have some sense of what level of medical and health services are available." Oh, no siree. That got put back in by the House committee—poof, like that. So it isn't just the big, bad bureaucrats who are enforcing those things. And it will be a political struggle to let go of stuff, just as it is a political struggle on the Washington scene to let go of anything. But if we don't do it, I think we're in trouble.

On Being a Good Chief

Q: Earlier we talked about what it takes to be a good manager. Could you talk more broadly about what you see it taking to be a good chief?

PITTENGER: You've got to be a manager when you're a chief; that's clearly one thing that's involved. You've also got to be a politician. You've got to understand what the forces are out there and who has what kind of clout, and what kind of trade-offs people will accept. Third, it's helpful to have a persona, a style, a sense of your office and your position to allow you to provide some leadership rather than just respond to forces. And I think you have to have some convictions. There's no point in being in one of these jobs if you just roll with the punches all the time. I think if a chief were a good manager, a good politician, a charismatic person, and a person with strong convictions, that would be pretty good.

Q: He doesn't have to know anything about education?

PITTENGER: You need to know the players, but you don't need to have been a devoted reader of the Harvard Educational Review. I'll say this, if Governor Shapp had had two people at his disposal

when I was appointed, if he had equal confidence in both, and if one of them had been me and the other a county superintendent with a doctorate in education, he would have been crazy not to appoint the county superintendent. The problem is in the real world you almost never face that kind of a choice. The trade-offs are more difficult.

Q: Do you think the states are better able today than, say, 15 years ago to play a leadership role?

PITTENGER: I think state education agencies are more interested in the effectiveness of what they're doing. They care more about kids. You're getting fewer chiefs who have come up through the chairs. You know, first they were the superintendent and football coach, then the county superintendent, and they went up to the state department and became the deputy for curriculum for five years. Then the chief retired and their buddies in the administrators association would all write to the state board and they'd get appointed at the age of 58. That was the traditional system, and it yielded some good people. But on the whole I don't think those people were likely to bring a strong sense of conviction about public policy to education. We're now getting people from a variety of backgrounds—some conventional, some unconventional—who are on the whole, I think, better able to provide leadership.

Stress of the Job

Q: Earlier you hinted at the stress and strain of the job. Is the job becoming so demanding that we might be reaching the point that good people will go into other kinds of things, avoiding public life?

PITTENGER: I don't think we are at that point yet, but that doesn't mean we shouldn't be concerned about it. More than anything, I'm concerned about the shrillness of public life these days. I can give you two illustrations. Dealous Cox—a student here, who's back as a school superintendent—accompanied Greg Anrig to some hearings in Massachusetts last year. He came back disturbed by the ugliness of the exchanges between the legislators and Greg Anrig and his staff. I mean, just the lack of civility. And that's harder on you than the policy decisions and the lack of money. The other example was when I got sued personally a

couple of years ago by the parents of two teen-aged retarded boys. I wound up giving a four-hour deposition by television to some very antagonistic lawyers who took the position that if these two boys couldn't read and write, it was because of my sins. These lawyers made it quite clear to me in private conversations that they wouldn't mind getting a judgment against me for a half a million dollars. They were doing this, they said, in order to force me to make a policy decision that I thought I didn't have the authority to make. That doesn't encourage people to go into public life.

I think that people who do those things are blinded by zeal. They have a lot of compassion for retarded kids—I think I do, too—but they don't have much compassion for secretaries of education. They probably need it less, but they don't have unlimited psychological and financial resources. And this doesn't just apply to secretaries of education. In the last month I've talked to several U.S. senators who said, "Why does anybody want to be a U.S. senator?" I sense that the stresses associated with that job have grown geometrically in the last 20 years.

Q: Did you experience a lot of strain in the job?

PITTENGER: My mind says "no" but my stomach says "yes." I collapsed with a bleeding ulcer a few months after I left the job. My doctors thought it was the result of the accumulated strains of those five years. I didn't feel that way at the time, and I only left because I felt I had done what I wanted to do. I had run out of steam and needed time to think. You can't think on a job like that. It was exhausting, but by and large I enjoyed it.

Q: Would you do it again?

PITTENGER: I wouldn't take another chieftanship now. It's partly a matter of my own intellectual and social growth—I think I've learned what's to be learned there. If this were 1971, would I do it again? Hell, yes.

Q: Any regrets?

PITTENGER: I regret that there aren't more forms of institutional support for chiefs in the universities and through the Council of Chief State School Officers. It's a very lonely position. But otherwise, no regrets.

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Since 1964 the program has placed over 600 mid-career persons in one year internships. Carefully selected sponsors, who pay the Fellow's salary, serve as on the job mentors by demonstrating, through their daily tasks, how educational policy is shaped at the local, state or national level. Fellows who are placed with new sponsors serve primarily at the federal level in Washington. The remaining Fellows participate on an in-positions, but with increased responsibilities and involvement during the Fellowship year. Weekly seminars and conferences are held for the Fellows at both the Washington, D.C. site and the eleven state sites. National meetings of Fellows with other special groups contribute further to their understanding of educational policymaking. Costs of recruitment, placement, and programs are borne by the EPF Program.

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